

THE
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

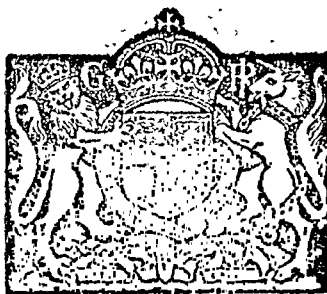
Volume II

(8th March to 27th March, 1928)

SECOND SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1928



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LEGISLATIVE ASSEMBLY.

Thursday, 8th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MESSAGE FROM THE COUNCIL OF STATE

Secretary of the Assembly: Sir, the following Message has been received from the Secretary of the Council of State:

"I am directed to inform you that the Council of State have, at their meeting held on the 7th March, 1928, agreed without any amendments to the Bill further to amend the Indian Income-tax Act, 1922, for certain purposes, which was passed by the Legislative Assembly on the 20th February, 1928."

THE GENERAL BUDGET—GENERAL DISCUSSION—*contd.*

Mr. President: The House will now resume the general discussion of the Budget presented by the Honourable the Finance Member.

Mr. Dharendra Kanta Lahiri Chaudhury (Bengal: Landholders): Sir, the Honourable the Finance Member ended his last Budget speech with a personal note. May I be permitted to resume the discussion of the Budget by making some personal remarks. It is a matter of deep regret that nowhere in the world does anybody worship the setting sun. But I must at least pay a tribute of thanks to the Honourable Sir Basil Blackett for his endeavours to make India financially prosperous. The Budget which Sir Basil has presented is undoubtedly a prosperous one and gives high hopes. But hopes, Sir, are very often alluring. They are sometimes unreal, like the will-o'-the-wisp. The prosperity shown in the Budget, Sir, is in my opinion more apparent than real. The question now arises—how far the material and financial conditions of the Indian people have improved during these few prosperous years. A nation's budget may roughly be said to be the barometer indicating national prosperity. Has the taxable capacity of the people appreciably increased during these few years? The Indian Budget is primarily a rich man's budget. The fundamental canon of taxation is equity, and the national dividend should be harmoniously distributed among the different factors of production. And in the Indian Budget, unlike those of other countries, indirect taxation has a greater share. The poor people are taxed in every way more heavily than the rich. And it has been admitted that the poor's contribution to the exchequer is greater than the rich's. It seems very difficult to resist the conclusion that such a Budget, though apparently prosperous, is really not so. Moreover, the stabilisation of the rupee is one of the responsible factors for this surplus Budget. But, Sir, the stabilisation has been effected at a great cost, and the recent index numbers do not warrant

[Mr. Dharendra Kanta Lahiri Chaudhury.]

the conclusion that the rupee has yet reached 1s. 6d. It has been, Sir, pushed up by the Government through their endless manipulations extending over the last three years. Sir Basil has told us that "during the last two years prices in general have shown a stability unknown since the outbreak of the war". And he attributes this partly to "more stable world conditions" and more to the favourable trade because of "the stabilisation of the rupee". But, Sir, I must admit that I fail to follow Sir Basil as to how this stabilisation of the rupee is responsible for this and not successive good monsoons. Sir Basil's favourable plan of linking the rupee at 1s. 6d. has not as yet fortunately met with any stormy weather and I doubt very much whether this fair-weather scheme will stand any failure of rains or drought.

Next, Sir, in framing the Budget for the ensuing year, the Finance Member has said that revenue from taxes on income is on the increase and is 1,35 lakhs more than the revised estimate of the current year. Here too, I must say, the increased amount is more apparent than real, because the increase is more due to the strict vigilance on the part of the officers of the Income-tax Department and the modification of the Income-tax Act than to the further increase in the total number of income-tax payers. The prosperity of India has therefore, Sir, not so much proportionately increased as Sir Basil wants to show to the people.

With regard to the military expenditure, I find the figure given is Rs. 55·10 crores. But this even does not represent the true amount of military expenditure as there has been already made a provision of 3·38 crores for strategic purposes in the Railway Budget. Again, the price level, Sir, in 1924-25 was much higher than in the year 1927-28 and it is expected that the prices will go still further down in 1928-29. Thus the figures as presented by the Honourable the Finance Member go to prove that the military expenditure has increased materially rather than decreased. Now, Sir, it has been said that the military expenditure cannot further be reduced in keeping with India's "defence in modern conditions". But, Sir, had the Government accepted the Skeen Committee's Report, the expenditure could have been substantially reduced. Besides, in that case, we could have obtained an indirect advantage. Now, under the present circumstances, the major portion of the military expenditure goes out of India, never to come back, with the only return of defence for India. Now, in the case of Indianisation, the major portion of the expenditure would have found a place in India and that would have gone to enhance the national dividend of our country, thereby increasing our national prosperity directly and indirectly. And we would have gained both ways. But it is, Sir, one of the most unfortunate things in history that the wishes of a subject nation always remain an ideal to be hoped for. The Government of India, Sir, always tell us to follow the maxims of international experts, such as "business must not be mixed with politics". But may I point out the recommendations of the Brussels Conference that about one-fifth of the total national income should be devoted to military expenditure, whereas we find in India more than one-third of our total national revenue is spent on this item.

Sir, it has been said that one of the fundamental defects of the present educational system is its top-heaviness. I should go further and say that

one of the greatest defects of our administration is its extraordinary top-heaviness. The reason why the Government is yet unable to lay out India's money for India's real advancement and for the readjustment of the burden of taxation, the major portion of which the poor have to pay, is the fat salaries of all the high posts of the Government. We the tax-payers have to pay for our Government, if it can at all be called "our"—and for what return? Indian interests have always suffered when they have clashed with the Imperial interests of our rulers. India yet stands very low in the scale of Finance with regard to other countries. The *per capita* income of her people is simply distressing. Therefore one cannot but say that India's interest is second, India's interest is third and India's interest is last even with the expenditure of India's money.

But, Sir, I must at the same time say that there are two redeeming features in the present Budget; one is the reduction of debts and another is the final extinction of the provincial contributions. As to the reduction of debts, I will make a few remarks to which, I hope, the Honourable the Finance Member will give the correct reply. (Laughter.) India has borrowed in the last few years many crores of rupees both for productive and unproductive purposes, especially for the former. But may I ask what portion of that borrowed money comes from Indians and what portion from the foreign market? The principal recommendation of the External Capital Committee, of which the Finance Member was the Chairman, was that the true solution of the external capital problem of India was the development of the internal capital of India. May I know what the Government has done to translate that recommendation into action during the last few years? Sir, in explaining the Provincial Loan Fund to this Assembly a few years back he said that he looked forward to the day when the Fund would be administered by an Indian body corresponding to the National Debt Commissioners and the Public Works Commissioners in England, the money required for the Fund being raised in the open market by the controlling body on the security of its own assets. May I ask the Honourable Member when this prophecy is going to be fulfilled?

Sir, the Meston Settlement was always charged with the potentialities of friction and that heavy millstone, it is happy to see, has been finally removed. But as a representative of Bengal I appeal to the Government through the Honourable the Finance Member to remove at least partially the grievances of Bengal. Bengal, Sir, having the largest population among the Presidencies pays to the Central revenue about Rs. 29.37 crores out of a total revenue of about 40.7 crores raised in the province, whereas Bombay and Madras with a less population pay less to the Central Exchequer though in Bombay almost the same total amount is raised. Sir, it has been said that the export duty on jute is not paid by the cultivators of Bengal. Jute is no longer a monopoly commodity and under the present conditions of the cultivation of jute and its substitutes, not only in Bengal but in some other parts of the world, the Bengal cultivators of jute cannot but feel the burden of incidence of taxation on jute. Therefore, it is equitable that at least some portion of the export duty on jute should be given to Bengal. Moreover, the basis according to which a Provincial Government is entitled to get a portion of the income-tax is not an equitable one for the different provinces. For Bengal the year 1920-21 was an abnormally prosperous one while in the case of Bombay and others it was more or less a normal one. Therefore, Bengal has been practically permanently deprived of her portion of the income-tax.

[Mr. Dhirendra Kanta Lahiri Chaudhury.]

Coming events cast their shadows before. Sir, the Finance Member has given a picture of the decrease of protective duties in the future. Recently a cry has been raised in international economic centres that tariff is a cause of many a conflicts, economic and military. But, Sir, that international economic centre is a rendezvous of international financial dacoits. The originators of that cry are the great industrially developed countries, and the speech of the Finance Member regarding this gives the impression that the Government in the future is willing to harness a dwarf with the giant, I mean thereby India, an industrially undeveloped country, with those highly developed. Sir, in those remarks of the Finance Member I smell an air of suspicion. During the last few years the United Kingdom has lost a great percentage of her trade with India, especially her export trade. Therefore, Sir, it seems very difficult for me to say that the Government is not seeking the earliest opportunity for British preference in India at the cost of India.

Sir, one word more and I have finished. The Indian Government is notorious to get the excess and supplementary grants always passed. Sir, in this respect, I should like to draw the attention of the Government to the words of one of Government's financial experts—I mean the Right Honourable Hilton-Young. He says in his book called "The Financial System of England":

"Public control of public expenditure depends for its efficiency in large measure on the financial scheme for the year being presented to the House and considered and approved, once and for all, as a whole. To allow the scheme, once approved, to be treated as something still fluid and liable to extensive modifications must infinitely weaken effective control and supplementary estimates are the most harmful way of doing so. To make anything but the most restricted use of them must deprive the whole system of supply of its meaning and utility."

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Mr. President, my Honourable friend Mr. Birla made some very serious charges against the Honourable the Finance Member in his speech yesterday. The substance of his charge is this, that the Honourable the Finance Member in presenting to this House the nation's balance sheet has presented it in such a way that if it were a company's balance sheet, the person responsible for that balance sheet would be hauled up before a court of law. My Honourable friend Mr. Birla gave some facts and figures in support of his contention.

The Honourable Sir Basil Blackett (Finance Member): He mentioned none.

Mr. R. K. Shanmukham Chetty: He mentioned at least the accrued liability on the Post Office cash certificate bonus. At least that is substantially accepted. Well, Sir, to-day, in the short time at my disposal, I propose to show that in the Budget that the Honourable the Finance Member has presented he has perpetrated two of the most serious fallacies known to logic, *suppressio veri* and *suggestio falsi*.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): That is not fallacy.

Mr. R. K. Shanmukham Chetty: I am afraid my Honourable friend has not read logic. In support of my contention I will take into consideration the analysis of the debt position of the Government of India as pre-

sented by the Honourable the Finance Member. In the Explanatory Memorandum of the Financial Secretary it is stated at page 14 that:

"in the five years ending the 31st March, 1929, the reduction (that is, in interest charges) is fully 40 per cent. and is, among other things, an indication of the extent of the replacement of unproductive by productive debt."

In the speech of the Honourable the Finance Member, at page 31, he draws attention to the fact that during the five years from the 31st March, 1923, the unproductive debt has been reduced by 76 crores. The productive debt on the 31st March, 1923, according to his statement, stood at 624.14 crores and the unproductive debt at 254.74 crores, and on the 31st March 1928, the productive debt stands at 812.88 crores and the unproductive debt at 178.73 crores. From these figures he wants us to draw the conclusion that during the five years of his stewardship of Indian finances, he has reduced the unproductive debt by 76 crores. Sir, this statement rivetted my attention on the debt position. It took me some considerable time, not having a Secretary sitting behind me, to find out wherefrom the Honourable the Finance Member managed to get these 76 crores in the course of 5 years to enable him to reduce the unproductive debt to that extent; and after some amount of examination of the budget papers I found out that the resources that enabled him to achieve this great result are as follows. During these 5 years he had realised surpluses to the extent of about 14½ crores. I am not taking into account the windfalls that he got. In the same period he set aside for the sinking fund 22½ crores, and in the same period he has brought about a reduction in cash balances to the extent of Rs. 24 crores and he has utilised an amount of Rs. 25.27 crores being the railway depreciation and reserve funds. These figures amount to a total of Rs. 86.27 crores. He has utilised these resources that were in his hands for productive purposes like railway construction and wants us to draw the conclusion that he has thereby reduced the unproductive debt by Rs. 76 crores.

What is the meaning of reducing the unproductive debt? There is no such thing as replacement of unproductive debt by productive debt. (*The Honourable Sir Basil Blackett*: "Why not?") When an unproductive debt has been incurred for certain purposes, until that unproductive debt has been wiped off, it does remain as an unproductive debt. It is absurd to say that "I have replaced my unproductive debt by productive debt." Such a statement has absolutely no meaning. My Honourable friend is certainly entitled to utilise the resources in his hands in investing them for productive purposes. I am not finding fault with him for that, but to say that by this means he has reduced the unproductive debt is, to say the least, absolutely misleading. The only way, the only legitimate way by which you can reduce your unproductive debt is by setting apart a sinking fund for that purpose and paying off that unproductive debt. That is the only way in which an unproductive debt can be reduced, and if that criterion is applied the unproductive debt during the last 5 years has been reduced to the extent of Rs. 22.50 crores and not to the extent of Rs. 76 crores. (*An Honourable Member*: "Quite right".) I am prepared to concede that my Honourable friend is legitimately entitled to use his realised surpluses for this purpose; and giving him the fullest credit for these things, the unproductive debt has been reduced during the last 5 years by Rs. 36 crores and not by Rs. 76 crores. Sir, I will give an analogy to substantiate my contention. Suppose I have got Rs. 60 lakhs of which I have invested

[Mr. R. K. Shanmukham Chetty.]

Rs. 50 lakhs in productive enterprises and Rs. 10 lakhs in unproductive enterprises, and suppose I have in my hand Rs. 5 lakhs, part of which is my bank balance and part of which represents deposits given to me by some of my friends. Next year I utilise these 5 lakhs in my hand in productive enterprise, and then I want others to believe that my debt remains the same, i.e., at Rs. 60 lakhs, I have increased my productive debt to Rs. 55 lakhs and therefore I have reduced my unproductive debt from Rs. 10 lakhs to Rs. 5 lakhs. Such a statement would certainly be absurd, and that is the position which the Honourable the Finance Member wants us to believe.

On page 31 he gives a statement showing the Debt of India. He is rather careful in using words. He says, "the Debt of India." I suppose he does not want to confine himself only to the public debt of India, because if the statement purports to give a summary of the public debt position of India, then he has to include in his figures only what are called permanent and floating debts. The permanent and floating debts on the 31st March 1927 are Rs. 415·91 crores. To this he has added other obligations, that is, Post Office savings bank deposits, cash certificates and provident funds, and these he shows as Rs. 107·21 crores. Well, Sir, if it is the intention of my Honourable friend, the Finance Member, to give an accurate presentation of the debt position of the Government of India, then it was his duty to show all the obligations of the Government of India on which he has to pay interest. This figure he has given as Rs. 107·21 crores on the 31st March 1927, whereas on page 297 of the Finance and Revenue Accounts of the Government of India for 1926-27 I find that this figure is Rs. 133·05 crores. Rs. 133·05 crores represents the obligations of the Government of India bearing interest. Therefore the total liability of the Government of India in the matter of other obligations is Rs. 133 crores and not Rs. 107 crores. He has omitted to show Rs. 26 crores of the obligations of the Government of India from the debt statement that he presented in his speech. I say that comes under *suppressio veri*. If these Rs. 26 crores are added, what is the position? On the 31st March, 1927 the unproductive debt will not be Rs. 200·81 crores as shown in the speech but Rs. 226·81 crores. That is to say, he has not chosen to show Rs. 26 crores in the debt statement that he has given. I would like to know from the Honourable the Finance Member what is the justification for not showing this enormous amount of Rs. 26 crores in the debt statement. So far as I have been able to find out, he has not shown in that statement Rs. 19·38 crores, being the railway depreciation fund and the railway reserve fund. Surely, at least after the separation of the railway finance from the general finance of the country, whatever amount stands to the credit of the railways in the form of depreciation and reserve funds must be considered as a liability of the general revenues towards railway revenues; and I ask, what justification is there for the Honourable the Finance Member for omitting to show this huge liability of nearly Rs. 20 crores in the debt statement? I submit, Sir, that this is *suppressio veri*.

In paragraph 29 of his speech, speaking about surpluses, he says that in future also:

"Substantial savings may be expected to accrue in future, as they have done in the past, under interest on deadweight debt."

This statement, I submit, is *suggestio falsi*, and it is for this reason. My Honourable friend says that there will be a surplus in future years because there will be a substantial reduction in the interest on deadweight charges. I submit that if there has been a substantial reduction in the interest on deadweight debt in the last five years, it is because there have been surpluses, and it is because he has utilised these surpluses in productive enterprises. Therefore, the reduction in interest on deadweight debt was a result of the surpluses and the surpluses were not the result of a reduction in the interest on deadweight debt. I suppose it is too much for the Honourable the Finance Member to understand.

The Honourable Sir Basil Blackett: I have entirely failed to follow.

Mr. R. K. Shanmukham Chetty: I can explain it to you once more because it is a very serious point. My Honourable friend says in his speech that in future he feels confident there will be a surplus and he gives as one of his reasons for his belief the fact that there would be a substantial saving in the interest on deadweight debt. My point is this. In the past there has been a substantial saving in the interest on deadweight debt because there have been surpluses and these surpluses he has utilised in increasing the productive enterprises. Therefore, the savings in interest were a result of the surpluses and the surpluses were not a result of the savings in interest. I hope my Honourable friend the Finance Member has understood my point.

The Honourable Sir Basil Blackett: No.

Mr. R. K. Shanmukham Chetty: Then I pity him. I am afraid I cannot make myself more intelligible than this.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran: Non-Muhammadan): Give him one more chance.

Mr. R. K. Shanmukham Chetty: This is *suggestio falsi*. It suggests as the effect what is the cause. Surpluses are the cause of the reduction of interest and not the effect.

The Honourable Sir Basil Blackett: What is the cause of the surplus?

Mr. R. K. Shanmukham Chetty: Heavy taxation. I am going presently to prove how you got your surpluses. As I stated the only way by which you can reduce your unproductive debt is to lay aside a sinking fund for the purpose and pay off the unproductive debt.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): It does not require brains to produce a surplus. You have to tax.

Mr. R. K. Shanmukham Chetty: In this connection I would just like to make an observation on the way in which the accounts of the Government are kept in this respect. So far as I have been able to understand the Finance and Revenue Accounts, the Government of India do not keep a separate account of their unproductive debt. They keep an account which shows the total volume of their debt and they have got another account which shows the various items of productive enterprise in which their debts are being utilised. Now from year to year they deduct from their total debt the amount of debt they have invested in productive enterprise, and whatever balance remains is called unproductive debt. I submit that is not the proper way of maintaining accounts.

The Honourable Sir Basil Blackett: Why?

Mr. R. K. Shanmukham Chetty: That does not enable this House to appreciate the real position of the Government of India with regard to unproductive debt. What ought to be done is this. A separate account must be maintained for unproductive debt and the amount that you set apart for sinking fund and the amount that you get by your realised surpluses must be utilised in purchasing off securities and cancelling them. That is the only way of reducing unproductive debt.

The Honourable Sir Basil Blackett: Why?

Mr. R. K. Shanmukham Chetty: What is the other legitimate source that you have got for reducing unproductive debt. You are not going to utilise the railway depreciation fund to write off your unproductive debt. You are not going to utilise the reduction in cash balances to wipe off your unproductive debt. Surely that does not mean wiping off unproductive debt. I therefore maintain, Sir, that the way in which the debt position has been presented is, to say the least, absolutely misleading.

My Honourable friend has taken some credit for bringing about surpluses. I think it was in the International Financial Conference in Brussels in 1920 that a Resolution was passed to the effect that the country which accepts the policy of budget deficits is treading the slippery paths which lead to general ruin, and that to escape from that path no sacrifice is too great. I do not know if my Honourable friend the Finance Member was present at the International Financial Conference at Brussels, but certainly he has tried his utmost to put in practice this Resolution and he has brought about surpluses. That he has brought about surpluses there is no dispute about, because the budget figures show that he has brought about surpluses. But, Sir, surpluses by themselves are not an indication either of financial soundness or of national prosperity. It all depends upon how the surpluses have been brought about. If the surpluses are brought about by maintaining a high level of taxation, surely those surpluses will not indicate that there has been sound finance or national prosperity. It has been pointed out very often that since the War additional taxation to the extent of 45 crores of rupees has been imposed. I am not taking into account the temporary doubling of the salt tax and things like that. There has been a permanent addition to our tax burden of 45 crores of rupees and what is the relief in taxation that we got during the régime of the Honourable the Finance Member? Cotton excise duty, 175 lakhs, stamp duty on cheques, 7 lakhs, reduction of import duty on motor cars and tyres, 10 lakhs, abolition of duty on mill stores and machinery, 85 lakhs, reduction of petrol duty from 8½ annas to 6 annas, abolition of the export duty on tea which is counterbalanced by income-tax on tea companies. Well, Sir, I put it to the House whether there has been any substantial relief to the tax-payer during the last five years? The high level of taxation which was justified by war conditions and by the upsetting of the economic conditions of the world as a result of the War has not yet been reduced. My Honourable friend the Finance Member is himself conscious of this. There is in his speech a tone of regret in the last paragraph. Speaking about his successors he says:

"They will be free to turn their minds on the one hand to new directions in which money can be usefully laid out for India's advancement and on the other hand to the readjustment of the burden of taxation and to those reductions of taxation so welcome to tax gatherer and tax-payer alike which apart from some minor cases and with the one big exception of the cotton excise duty have been beyond our reach in my term of office."

The Honourable the Finance Member has therefore been conscious of the fact that during his tenure of office he has not been able to give any substantial relief to the tax-payer and that the level of taxation maintained is still a level which is justified only by abnormal conditions due to the War. I therefore maintain that the Finance Member should not take too much credit for having brought about an era of surpluses. The whole financial position has been beautifully summarised in a leading article in the *Pioneer*:

"The Finance Member is deserving of congratulations for his personal gifts manifested in administrative and financial clarity but it will be generally regretted that after five successive budgets there is no evidence of a wide vision to offer the tax-payer any relief."

That, Sir, puts the whole position in a nutshell and that is a very fair presentation of the case and a fair judgment on the stewardship of the Honourable Sir Basil Blackett of the finances of the country for the last five years.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber, Indian Commerce): Sir, the Honourable the Finance Member claims that this is a Budget which both the Government and the country can view with pleasure. I think he would have found many of us agree with him if he had said that this is a Budget which the country can view without exasperation. The only reason why the country should view this Budget with equanimity is that there is no new taxation proposed and that the provinces welcome the final extinction of provincial contributions. The first is of course a negative consolation and the second is certainly a relief. I submit, however, that as far as provincial contributions are concerned we had come to a point where the Government of India would have found it difficult to get contributions from the provinces even if they had insisted upon it. At least two major provinces have deficit Budgets in spite of the remission and as far as the others are concerned some at least have had to suspend their allotment for famine insurance in order either to balance their Budgets or to show a small surplus.

I feel that as far as the provinces are concerned there is nothing which can be said to be on the prosperous side there. Since 1921 practically every one of the provinces has had to add to its taxation. The increase in stamp duty and the introduction of the amusements tax, to name only two of the taxes which are general in most of the provinces, have been added to the war-period taxation, and as far as relief from taxation is concerned, I at any rate have still to learn that any province, even prosperous Punjab, has received any relief at all. The Honourable the Finance Member asked my friend, Mr. Shanmukham Chetty, what is the cause of his surpluses? The cause of surpluses, Sir, in the Government of India Budget can surely be said without any fear of challenge to be this: that taxation is, at the same level as during the war-period, nay, has been increased in the post-war period whilst every other country which had anything like the solvency of India when the war was over has given a substantial reduction in taxation. If prices of commodities have fallen, and if the pay of your services—and the major part of the services, Sir, is subordinate—is lower, could anybody have helped surpluses, with the same range of taxation? What is the good of asking, what is the reason of surpluses? I will not refer to the adventitious gain that the Finance Member's Budget got from the change in the ratio. I leave that on one side. Even with the heavy fall in prices since 1920, if

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you retain your taxation at the same level as during the war-period, is it any good asking us to tell you what was the cause of your surpluses?

As far as the Central Government is concerned, Sir Basil Blackett himself has confessed that with the exception of the cotton excise duty, a reduction in taxation has been beyond the range of his term of office. I would like at once to again mark my sense of relief at, and appreciation of, the efforts of both the Government of India and of the Legislature in recognizing the unwarranted nature of the cotton excise duty and for the relief the cotton industry got from it as early as the Government could see their way to do so. But nobody can claim—indeed I have not heard anybody say—that this reduction in taxation has been premature or has put the industry on velvet. Even with this reduction of taxation, Sir, that industry, the cotton industry of India, the first and the foremost of the national industries in India is to-day, to say the least of it, in a most perilous condition. The Honourable the Finance Member very discreetly omitted any reference to the condition of industries in India. Every country in Europe, a review of whose prosperity and financial condition one reads in recognized financial papers in the West, judges its Budget or its prosperity from—what? From the condition of industries there,—certainly from its exports—most of them are countries which export manufactured articles—and from the prosperity of their people. Regarding the prosperity of the people of India I do not know what index will be accepted by the Finance Member: but if income-tax does in the slightest degree reflect it, there is an admission that the figure anticipated by the Finance Member this year has not been reached. In full hope, however, the Finance Member budgets for a higher figure next year. Let us all hope that it will be realized. But if he has to learn from past experience and from facts as we see them to-day, there is no doubt in my mind that he is leaving a rather bad legacy to his successor in this matter. Sir, the question of the purchasing power of the masses is again one which the Finance Member discreetly omits reference to. The importers complain that they find a very indifferent market, if any, for their wares. The local manufacturers find that, as far as their manufactures are concerned, they cannot move them. What, Sir, is the reason of all this,—after having five or six successive good agricultural seasons in India? Can it be anything else, except that the purchasing power of the masses has been shattered by the currency policy followed in the last three years? And to say that that policy deserves the congratulations of this House to my mind, Sir, only bespeaks the ignorance of those who make such remarks.

The Finance Member says that “a noticeable feature of the trade returns for 1927-28 is the reduction in the net imports of treasure by 6½ crores in the first ten months of the current year.” I am quoting from paragraph 3 of the Honourable Member's speech. When I read this or rather heard this on the 29th of last month I felt a little amused. The one charge against India, Sir, all over Europe has been that whenever India has a prosperous year India imports silver and gold. Does the Finance Member think that during the last 12 months this tendency of the Indian masses has undergone a change for the better owing to the preachings of the Finance Member? Or is it due to his policy that India has not imported gold and silver but has imported something else? Surely, Sir, the Finance Member and his supporters will not claim that the masses of India are liable to learn things during the short period of ten months or a year. The

correct inference, Sir, is, not that the masses are prospering: if anybody is prospering, it is the upper classes: for these latter do not import gold and silver,—they import diamonds and motor cars. I admit the reduction in net imports of treasure is a sign which must not be overlooked. Whenever India has had prosperous years as far as its agricultural masses are concerned, India imported gold and silver. I do not approve of that, I am painfully aware of the distress that this tendency of the masses brought on to India by their importing treasure to the extent of 78 crores in the year 1923-24. This frightened England and led her to devise the policy of keeping India away from gold—which is the basis of the currency reserve of every country in the world barring India. Whilst I am painfully aware of all this, I only wish to point out that the inference which the Finance Member wishes to be drawn is unwarranted and is thoroughly misleading.

Sir, the two prominent features of this Budget have been referred to with due emphasis and, if I may say so, with fair accuracy by the two previous speakers,—I mean my Honourable friends, Mr. Birla and Mr. Shanmukham Chetty. I do not wish to repeat the details. I wish, however, to supplement what they said by one or two further remarks which I think will make the picture more clear and fuller. The uncovered liability in respect of the Post Office cash certificates and of the five per cent. premium on the 1928 bonds is called by the Finance Member as a bonus in one of the later paragraphs of his speech, that is paragraph 28. In an earlier paragraph (paragraph 24) the Finance Member, however, does admit that it is in the nature of deferred interest. If the 5 per cent. premium on the 1928 bonds and the discount which the Government of India allow when a man buys a Post Office cash certificate are both in the nature of deferred interest, may I ask how he was justified, or rather how his Department was justified in overlooking provision for this deferred interest in previous years? I submit—and the inference cannot be challenged, it certainly is not unfair—that this may have been kept back in order to get through the measure which Government wanted to get through last year. We are this year taken into confidence, the result being an unfortunate legacy is left for the successor of Sir Basil Blackett and for the future Assemblies, at least during the next three or four years, who will have to provide for these amounts in future Budgets. Sir in legal parlance anything like this happening in the budgets or balance sheets of commercial concerns would have been called "fraudulent". I do not wish, however, to challenge the *bond fides* of the Finance Member. He has from the very start when he assumed office arrogated to himself the privilege of doing things as suited him and not as they should have been done by convention and by custom recognised all over the world. He has been perfectly frank about it. Whenever it suited him, he said that all discount must be written-off in one year. My friend Mr. Birla gave an instance of it yesterday. When it does not suit him, he asks us to follow a slower policy, steadier policy, of spreading a liability over a period of 5, 10 or 60 years. Sir, he has overlooked the liability that has to be met within the next year or two and he has faced us to-day, Sir on the eve of his departure with a liability of 5½ crores—to say nothing of a bigger liability. Should there be a financial crisis next year and people present their Post Office cash certificates to be discounted in a larger measure than my Honourable friend counts upon, the net liability for interest accrued is greater. We are, however, only talking of foreseen things and not unforeseen when we refer to the figure of Rs. 5½ crores, and

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this neglect, Sir, is not one which could be allowed to be passed in this House without the severest condemnation.

Regarding, Sir, the other question of the reduction of debt, my Honourable friend Mr. Shanmukham Chetty has dealt with it fairly fully. All that I wish to point out in addition to what my Honourable friend has said is that in conversion of the English debt from sterling into rupee there is a gap of at least 57 crores of rupees due to the appreciation of the rupee from 1s. 4d. to 1s. 6d.; and my Honourable friend has taken—whether he should have or not I am not expressing an opinion on, I am only drawing attention to it—has taken full credit for 57 crores against the unproductive debt. Sir, a further pushing up of the rupee to 1s. 8d., and then to 1s. 10d. will perhaps show a credit balance for your unproductive debt. I venture to ask how is this a policy which can earn anything like approval—leave aside, Sir, congratulation—from this side of the House? If you really wanted to credit 12½ per cent. unearned increment which you got at the expense of the tax-payer and the agriculturist of India, the fairest thing would be to spread it over the two branches of your debt, productive and unproductive. Is it contended in all seriousness that the assets against the whole of the productive debt will remain at exactly the same figure despite the appreciated rupee and that your dead assets of unproductive debt alone should have credit for it? Sir, one does not wish to use any expression which may be said to be severe, but this at any rate is to my mind jugglery of the highest order.

To point out that the unproductive debt has gone down from 254 crores to 178 crores, or rather from 260 crores on the 31st March 1924 to 178 crores at which the Honourable the Finance Member puts it on the 31st March 1928, that during a period of four years, the unproductive debt has gone down by 81 crores,—if that, Sir, was correct, accurate or even understandable, I submit we certainly would congratulate the country and the Honourable the Finance Member on it. Look at the items, Sir, which the Honourable the Finance Member appears to have taken credit for in this. I understood that he accepted as correct the various items which my Honourable friend Mr. Shanmukham Chetty mentioned. One of these, Sir, is the railway reserve fund and depreciation fund. Sir, how do these funds belong to the Government of India, I venture to ask. It makes me almost shudder. Does the Finance Member—(Laughter from the Official Bench)—it will make you shudder very shortly—claim these funds as the property of the Government of India in the Finance Department? Or do they hold these funds in trust for the Railway Department? Do you really want us to renew the Railway Budget convention, the separation of the Railway Budget? By what stretch of imagination do you look upon this as money which goes to reduction of debt? Is it your intention never to spend anything out of this money? Have you only trapped the Assembly by saying "Set this aside and you can have it for the Railways whenever you like"? I ask my Honourable friend Sir George Rainy to be cautious, to beware and not to agree to this item appearing in reduction of debt. I know, Sir, that the country will not agree; we on this side will not think of renewing the separation of the Railway Budget if the railway reserve to the extent of 20 crores are to be taken against reduction of unproductive debt. Sir, the Finance Member and the Finance Department of the Government of India, in fact I would say the Governor General in Council, are the trustees for

these two funds. They cannot touch them without our sanction and to use them for the reduction of unproductive debt is to say the least of it most misleading and thoroughly unjustified. Take, Sir, the other figure of 24 crores from the cash balance which has been taken against this. The credit for this might have gone to the Finance Member who left such a substantial sum of 24 crores more in 1923 than what the Honourable Member chooses to leave to-day. All that can be conceded is that the loss of interest on the cash since 1923 is smaller owing to smaller cash in hand.

Sir, many have been the congratulations, either wholehearted or halting, which have been sought to be given to the Finance Member. (*An Honourable Member*: "Mostly diplomatic".) Call them whatever you like: you heard them; I am not going to qualify them any further. Sir, many have these been. If there is anybody either within this House or outside, who thinks that owing to difference of opinion between the Finance Member and Members on this side of the House, we, or any one of us.—and I have had the largest difference of opinion with the Finance Member—are withholding our tribute to him if he deserves one, he is greatly mistaken. (Hear, hear.) Those who work in public life are destined to differ from each other. Few of us, Sir, carry that difference of opinion into private life and few would there be who would deny a just tribute, especially on the eve of a Member's departure, if we felt that he either had earned it or deserved it. (Hear, hear.) If, therefore, we on this side cannot join the others who throw bouquets, garlands and what not, at the Finance Member since yesterday, all that I can say (*The Honourable Sir Basil Blackett*: "And suit cases".)—I may refer to that when the police court case is over, let us not talk of the suit case to-day—I would only say that nothing can qualify a Member of Government for appreciation or approval from this side of the House unless he has shown full desire and ability to serve India's true interests in his particular sphere of activities.

My Honourable friend over there. Father Christmas as he is called by his pet name, talked of the many social qualities of Sir Basil Blackett. Sir, this Assembly is not the place where judgment can or should be passed as based on a retiring Member's social qualities. If we felt in the slightest degree that we could join in that chorus, wholehearted or halfhearted as it is, none of us would hold back from it for a single minute. We are convinced—and I hope I am reflecting the feelings of my friends on this side of the House when I say this—that the policy that Sir Basil Blackett has followed, although it has shown surplus Budgets at the expense of the tax-payer, has almost strained the tax-paying capacity of the people and of the masses. I will not refer to any other policy of the Finance Member's Department. We see nothing good in this at least as far as the interests of our country are concerned. All that I will say is that the Finance Member had a capital opportunity of serving India, but unfortunately for him and for us in India either he was not free to follow the correct policy or he chose not to follow it. The regret is ours and should be his too.

Sir Victor Sassoon (*Bombay Millowners' Association: Indian Commerce*): Sir, I do not think that any one in this House will controvert the point made by my Honourable friend Colonel Crawford yesterday when he said that the standing army in this country was an insurance, and the House cannot fail to agree with me on the self-evident proposition that it is not much use paying an insurance premium unless you are quite certain that,

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if there is a fire, the loss will be met. In army matters I do not pretend to be an expert. I have, in fact, no technical knowledge of any description, but in matters pertaining to aviation I have some small experience and I do attempt to keep up-to-date. I do not know whether this House is aware of the fact that beyond our frontiers there are aeroplanes capable of raiding our northern towns, bombing them and then returning to their bases. That is fact number one. Nor do I know whether the House is aware that the best defence against raiding aircraft is to bomb their bases and that there is not at the present time in India one single squadron able to carry a full load of bombs over the intervening mountain ranges and carry out this offensive operation which is the best form of defence. That is fact number two. Sir, I feel that it must be admitted that this is a very serious state of affairs and I should be failing in my duty if I did not urge His Excellency the Commander-in-Chief not only to insist that the two new squadrons which we are going to receive should be armed with the latest and most up-to-date equipment but, that at any rate a start should be made to re-equip and to re-arm our existing squadrons.

Sir, I propose now in the short time at my disposal to take up that side of the Government activities which is concerned with the collection of taxes. The objections that are widely felt by a number of Members of this House and a number of citizens outside it to giving wider powers to the revenue authorities would, in my opinion, be largely met if the administration of the law were carried out in the spirit of the Honourable the Finance Member's speech the other day on the amending Income-tax Bill that was before the House. And it would be churlish on my part not to give him full credit for his obvious desire on that day to meet the criticisms of his opponents. Unfortunately, of late, at any rate, the Department has shown itself, in my opinion, too prone to take the fullest advantage of its legal powers under the existing Act and too prone to ignore or, at any rate, to gloss over pledges that have been given either on the floor of this House or in Select Committees by various Finance Members. One has only to read the rules and instructions in the Manual of Income-tax to see how these pledges have been put into effect and one has only to examine the claims made by the Department to realise that these rules and instructions are not always carried out. I need hardly remind the House that where the Department chooses to base its claims on the strict letter of the law it is not permissible to bring forward in defence the rules or instructions contained in that Manual. If we look at the receipts from income and super-tax and the cost of collection for the past years—and I have here a statement which shows this from 1920 onwards—one cannot but be struck by the fact that in 1920 over 23 crores of revenue were collected at a cost of Rs. 15,27,000, whereas in the Budget under review we are budgeting for Rs. 16,99,00,000 at a cost of Rs. 65,84,000. Therefore, in eight years the cost of collection has almost quadrupled itself. The fact that the receipts are down, of course depends very largely on questions which have nothing to do with the cost of collection. That must be admitted. They have to do with the prosperity of the country. (Mr. B. Das made an inaudible interruption.) It may be said that had it not been for increased expenditure on the collection the dropping of the receipts would have been even larger than it has been. But I should like here to interject, and this

will probably meet the interruption of my friend Mr. Das, that although we have been told that the prosperity of the country has not decreased in the last few years, we do know that the revenue in the last three years, in spite of its intensive collection, has fallen in 1927 to Rs. 15,64,00,000 from Rs. 16,01,48,253 in 1925. This will show that increased imports and exports do not necessarily mean increased profits or increased prosperity. I do not think that anyone in this House would consider himself anything but justified in sanctioning the increased expenditure necessary to increase the efficiency of tax collection, but I do suggest that we should watch this item very jealously and should not allow the plea for increased efficiency to result in undue and unnecessary harassment of the tax-payer. The House will remember that I brought to its notice the other day the case of a foreign manufacturer who was shipping his products to this country at a loss, a fact which was known to the business men in Bombay, and at the same time the Department endeavoured to collect income-tax from him on the proportion of his profits in his own country. I understand that that demand has now been dropped, but my point is that that demand should not have been made. There is a further example where the revenue authorities have gone beyond their scope. In Ahmedabad the revenue authorities had to investigate the spending of money from a Trust and the House knows that trust funds are not susceptible to assessment for income-tax. They not only asked for proof that this particular trust was in a position to give education to the people of this country but they sent for the individual teachers and cross-examined them as to what tuition they gave and set themselves up as judges as to whether that tuition was satisfactory. I do not consider that that is a duty of the revenue official. Should gentlemen of means in this country, of—shall we say—rather more than pink tendencies, choose to put a fund into trust for the purpose of teaching this country to manufacture and throw bombs at the Government—although I would be the first to ask my Honourable friend Mr. Crerar to deal with the matter in a drastic fashion—I do not consider that it is within the province of the Revenue Department to decide whether those funds should be subjected to income-tax, because the education offered was not advantageous to the State. I go further and say that if their time is so little occupied that they can carry on these duties of the Home Department, that should surely be an argument against increasing the staff. The point I am making is that we have a number of enquiries and assessments made which either result in favour of the assessee or get dropped, and there is manifold proof that a large number of them are unnecessary enquiries and should never have taken place. They result in interference with the normal activities of the business man. They make him spend an unnecessary amount of time at the offices of the authorities explaining points, instead of devoting his attention to his own business. They result in a loss of time, custom and profit, and a loss of taxes to the country. And all these activities—and here we come to the kernel of the matter—all these unnecessary activities are used as a basis for justifying the demand for increasing the establishment. The more they harry the citizen, the more work these enquiries cause, and the bigger the consequential need for expansion. Increase of establishment leads to a request for higher status, increased emoluments for senior officers, and thus we get increased Demands under the head of "Collection of Taxes". Even if we were to take years nearer than 1920, we find that in 1924 the total cost of collection was 62 lakhs in 1925 it was

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reduced to 60.37 lakhs, in 1926 it was reduced to 58.71 lakhs, and in 1927 it rises to 61.75 lakhs, and this year, we have an increase to 65.84 lakhs, in votable expenditure alone, an increase of 4 lakhs over last year.

Sir, I feel that the time has come when the Government should institute a departmental enquiry and investigate in what direction the activities of the Department should be developed, and in what directions they should be discouraged and, perhaps, suppressed. I feel convinced that if this committee carried out its work properly the cost would be more than made up by the decreased estimates under these heads in our Financial Budget. I think the Department should be instructed not to treat the average taxpayer as if he was a criminal only out of jail because he was clever enough not to be found out. I feel that they should be instructed to develop a feeling of mutual toleration and reciprocal respect between tax-payer and tax collector. As it is, I say, we have them harassing the tax-payer. We have the Income-tax Amending Bills brought before us, which are usually unintelligent in conception and unequal in application, but all adding to the powers of the Department and so also to their opportunities of increasing their inquisitorial methods. And so things will go on until we reach the conditions which prevail in England, whereby retired revenue authorities earn very large incomes largely in excess of what they earned in their State appointments by starting bureaux of income-tax recoveries, whereby they assist the tax-payer against the rapacious and unreasonable demands of their erstwhile colleagues, in return for a percentage on the amounts recovered!

One more point, Sir. The Government have been rightly given powers to insist on payment of assessment pending an appeal. These powers are necessary in case, if the appeal fails, the assessee does not pay the amount. In the past these powers have been very sparingly used. But lately there has been an increased tendency to ask for assessments to be paid pending appeal. What is the result of this? It is true that if the assessee wins his appeal the amount is repaid to him with interest at the bank rate. But when the assessee is a merchant, which is usually the case, the merchant expects to earn a larger rate of interest than the bank rate, and either he has to use some of his working capital to pay this amount, or to borrow the money at a rate higher than the bank rate, and thus lose the difference between the rate he pays and the interest he receives. At the same time you have the Government suffering under this system of forced loans, because Government is borrowing this money at the bank rate, whereas under the system of treasury bills it could finance itself much more cheaply. In this connection I would like to make the following suggestion, namely, that in such cases rules should be made allowing the assessee to put up suitable security, or he might be allowed to furnish a guarantee from an approved bank. In this manner the assessee would not be unduly penalised, and at the same time the Government would not pay for these loans a higher rate of interest than it would do in normal circumstances.

His Excellency the Commander-in-Chief: Sir, with regard to the matter of Army expenditure, though I have mentioned this subject fairly fully in Budget debates in this House both last year and the previous year, yet I feel it incumbent on me again to mention somewhat fully

certain facts and aspects concerning it which, I think, are not always fully understood. I find also that the recommendations of the Inchcape Committee are frequently misquoted, especially by critics of Army expenditure, and I should therefore like to quote verbatim part of the paragraph in this report regarding which there is generally so much misapprehension. After suggesting that the net Budget for 1923-24 should be fixed at Rs. 57.75 crores, and that the adoption of their recommendations would enable the estimates in subsequent years to be reduced to Rs. 57 crores, the Committee went on to say:

"We do not, however, consider that the Government of India should be satisfied with a military budget of Rs. 57 crores, and we recommend that a close watch be kept on the details of military expenditure with the object of bringing about a progressive reduction in the future. Should a further fall in prices take place, we consider that it may be possible, after a few years, to reduce the military budget to a sum not exceeding Rs. 50 crores, although the Commander-in-Chief does not subscribe to this opinion."

In this connection, I should mention that, with the exception of a slight temporary rise in 1925-26, there has been a further progressive reduction in the estimates:

I would also mention that, since the Inchcape Committee reported, it has been decided to charge the Army with the cost of certain services rendered by other Government Departments which previously were given free:

	Lakhs of Rupees.
Payments to the Telegraph Department for care of Army Stores	30
Customs duty	32.25
Printing and Stationery	13.00
Payments from the Compassionate Fund to personnel employed in the Military Department	09
Total	45.64

The House will have noticed that Lord Inchcape's suggestion was that, if prices fell, the cost of the Army in India might be reduced to Rs. 50 crores, i.e., a reduction of Rs. 7 crores below the figure he accepted as the normal budget. But Honourable Members who have analysed the Military Budget will have noticed that the total annual expenditure on stores amounts to Rs. 11 crores only; therefore, even if there were a large fall in prices, it is evident that a cut of the magnitude anticipated by the Committee could not be realised—while as a matter of fact the prices of staple food grains, which mainly affect the budget, far from falling have in general actually risen. To quote figures:

Wheat, in 1922-23 was Rs. 5-15-0 per 100-lbs. It is now Rs. 6-5-0;

Barley, which was Rs. 3-15-0, is now Rs. 4-6-0;

Gram, which was Rs. 4-11-0, is now Rs. 5-0-0;

Dal, which was Rs. 6-4-0, is now Rs. 6-12-0.

The only commodity on which there has been a decided reduction in price is ghi, which has fallen from Rs. 93-5-0 to Rs. 83; but I must mention the fact that this fall in price is not due so much to a reduction in the market price as to better arrangements that we have been able to make by the central purchase of this commodity.

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I cannot but think that, if the Inchcape Committee had been in possession of the above facts, they would not have made the suggestion they did, and when the House has heard them, I think it will agree that it must be impossible to look for any substantial reduction of expenditure in this respect, while it must be equally impracticable to look for a reduction in pay charges sufficient to enable us to reach the figure of the Retrenchment Committee's pious hope. As these two heads account for Rs. 31 crores out of total amount of Rs. 48 crores spent on the Standing Army, it must be improbable that, however strict a watch we may keep on expenditure, a further progressive reduction on any appreciable scale can be expected. Indeed, we are at present going short both in personnel and equipment of many things which we regard as essential requirements—and which we have to try to get right gradually by such economies as we are able to effect.

I have noticed, too, that recent criticism of the scale of Army expenditure in India suggests that there is an idea prevalent that the *whole* of this expenditure is unproductive, and also that it contributes largely to the drain of money from India to the United Kingdom. It is true that in India, as in other countries, the expenditure on defence services must be regarded primarily as a payment in the nature of a national insurance premium, but it by no means follows that it is entirely unproductive. To emphasise this point, I should like to quote a few figures.

To take first the question of the drain of money to the United Kingdom, it may be noted that, of the total gross expenditure of Rs. 56.72 crores, the amount spent in India is Rs. 43.65 crores (77 per cent.) and in the United Kingdom Rs. 13 crores (23 per cent.).

In the case of these Rs. 13 crores spent in England, India gets direct value for more than half of the expenditure in the form of stores unobtainable in India or in the shape of trained personnel; while in the case of transport charges and contributions towards His Majesty's ships, India gets a return in the form of services rendered.

I will now turn to the Indian portion, *i.e.*, 77 per cent. of the expenditure, practically the whole of which remains in India. A certain amount of the money issued in pay is remitted to the United Kingdom, but as far as can be ascertained, this amount is not appreciable when compared with the total expenditure—in fact, I think it may be assumed that, of the Rs. 43.65 crores in the Indian portion of the estimate, Rs. 43 crores are actually spent in India.

It is of course impossible to attempt to make an analysis of the ultimate destination of the whole of the Indian expenditure. It can only be said that large numbers of persons, entirely outside the Army organization, depend for their living wholly or partly on the Army in India. In so far, however, as the destination of the money can be traced, I will mention a few items.

In the first place, substantial sums return direct into the pocket of the Central Government in the shape of taxes. The larger items are:

	Lakhs of Rupees.
Customs on imported stores	32
Income-tax on officers' pay	55
Other Central taxes, say	13
Total taxes	100

Then there are other outgoings from the Army Budget which, though they are payments for goods supplied or services rendered, appear as receipts under other heads of the Government of India's Budget:

	Lakhs of Rupees.
Rail transport charges	150
Post, Telegraphs, and Telephones	17
Printing and Stationery	13
Total	180

And, Sir, turning to the criticism that the Army in India is maintained at its present standard at the expense of the development of the nation-building services, I should like to point out that, so far as the Indian Army is concerned, the Army is itself a nation-building organization. (*An Honourable Member*: "Question.") I will not press this point too far, but it is clear that service in the Army teaches the virtues of courage, duty, obedience, co-operation, and good comradeship. Moreover, the Indian soldier is as a general rule better fed, better clothed, and better housed than he is in his own village—he leaves the Army infinitely better educated and a better citizen than when he entered it, and he is instrumental in promoting a higher standard of living in general. The outcry that is raised by any community when it is denied the privilege of enlistment in the Army is sufficient proof of the estimation in which the Army is held as an avenue of employment, and as a medium for maintaining or raising the status of that particular community.

Even the non-effective charges in the Indian portion of the expenditure, which amount to Rs. 3½ crores, have a directly beneficial effect on the country, both material and political. Most of the pensions go back directly into the land, and, to use the negative argument again, the value attached to them, small as the individual payments may be, is shown by the discontent when anything goes wrong with the system of distribution.

And apart from the general nation-building effect of service in the Indian Army on the people, I am sure the House will be interested to hear that the Army Estimates include large sums which are expended on directly nation-building services, *e.g.*,—

	Lakhs of Rupees.
General education (excluding the higher military training of officers)	38
Sanitation	17
Administration of Cantonments	8
Anti-malarial measures	2
Total	65

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In addition there are Departments which, though they are organized primarily to provide for the needs of the Army, have a definitely nation-building influence. Among these I may mention—

Remount Department, and Grass and Dairy Farms.

The first-named has raised, and continues to raise, the standard of horse and mule breeding in India by maintaining horse and donkey stallions, and by the grant of concessions to private persons on condition of the production of animals of a certain standard; while the two latter Departments have done a very great deal to raise, respectively, the standard of fodder crops and dairy produce.

In the industrial world, too, I can claim that the Army plays an important part. The introduction of modern machinery and methods in factories and other manufacturing concerns helps to raise the general standard of production, and this improvement is also promoted directly by the strict inspection of goods purchased from private manufacturers. We are also, on a small scale, giving direct help to the development of Indian industry by the grant of subsidies to enable manufacturers to start the production of commodities which have not hitherto been obtainable in India up to the standard required. Further, the Army does not neglect the welfare of its labour force. In Ordnance and Clothing Factories, for instance, we are promoting thrift by the establishment of a Provident Fund, and raising the standard of efficiency by affording facilities for general and technical education; and it is hoped to do more in these directions as funds become available. We are also providing the workers with descent house accommodation.

It is impossible, as I have said, to compute the number of people who make their living out of the Army, but from what I have stated, it will be seen that the Army is a direct employer of labour on a large scale, both agricultural and industrial. I may illustrate this by the wages bill (direct payments to labour) of the following departments:

		Lakhs of Rupees.
Agricultural	Remount Department	13
	Grass Farms	16½
	Dairy Farms	5
Industrial	Ordnance and Clothing Factories	70
	Indian Army Service Corps workshops	14
	Arsenals and Depots	26
	Inspecting Staff	2½
Total		147

This account of the beneficial services which are incidentally rendered by the Army does not pretend to be exhaustive. It is based on facts as they appear in the estimates of military expenditure, and could if necessary be elaborated by the administrative authorities concerned. I am merely attempting to show that the expenditure on the Army in India is not a dead weight borne by the Indian tax-payer as an insurance against internal disorder or external aggression.

In connection with actual expenditure, I think it may perhaps be of interest to Members of this House to know that the Russian Soviet military estimates for 1926-27 were almost exactly 50 per cent. greater than those for the years 1924-25, while, as the House is aware, our Indian Military Budget has been a constantly decreasing one.

I do sincerely trust that after the House has heard this statement, it will realise that all due care is taken to administer the funds necessary for the defence of the country as economically as is possible.

The House may like to hear a few details regarding matters of policy which have occurred during the last year. It will be remembered that a mixed Indian Brigade was despatched to Shanghai in the Spring. I know Honourable Members will be glad to hear how the arrangements made for the despatch of this Brigade and the celerity achieved were fully appreciated by the Home authorities. Indeed, it seems highly probable that its timely arrival saved Shanghai from the risk of sabotage and looting. Our Indian Brigade was withdrawn from Shanghai in August. I have been able to see several of the units concerned, and am glad to be able to inform the House that not only do all our Indian ranks seem to have appreciated their time in China, but I have found that practically every man returned in the highest spirits, as every one of them confessed that he had been able to effect really good savings, which he had remitted to his home. The General Officer Commanding the Forces there has sent the most satisfactory reports on the behaviour and discipline of our troops.

From statements made in the last Session, the House is also aware that the military administration of Aden is now no longer carried out by the Government of India. Early in April the defence administration was transferred to the War Office, from whom it will shortly be transferred to the control of the Air Ministry.

There is another subject which, I think, generally interests Members, and that is the question of the mechanization of the Army. Honourable Members may perhaps have seen occasional articles finding fault with us for not going sufficiently fast with a programme for mechanization. People who hold such views are, however, apparently in ignorance of the fact that India is not yet a highly mechanized country, and we have not out here the large factories and mechanical works such as exist in England. With such factories the War Office is able to carry out mechanical experiments on a considerable scale, as many of the big firms are always prepared to undertake experiments in the manufacture of various fighting or transport vehicles; and it will probably be realised that many experiments have to be made before we can hope to arrive at really satisfactory results. We feel in this country that it is essential to go slow, and indeed what we try to do is to take advantage of the experience gained in England, both as regards their successes and failures. We are constantly experimenting on a comparatively small scale with various types of vehicles. We have not yet arrived at a completely definite conclusion, but we are hoping that a type of six-wheeled vehicles may eventually be found to solve the problem of traction over the various and difficult country where transport will be required to go. Once we are satisfied that we have definitely discovered the right pattern of tractor, we can formulate definite plans; but we have not yet arrived at this stage. When that stage is reached, however, we anticipate that we shall be able to go ahead,

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though even then initial expenditure would compel us to go comparatively slow. The initial expenditure must, of course, be heavy in providing vehicles—in making storage arrangements for them, and for laying in the very large amount of spare parts, machinery for repairs, etc., etc. When, however, the initial expenditure has been met, we are confident that there will be a large recurring saving in the substitution of motor traction for at all events a portion of our present horse and mule transport. It must, of course, be impossible for any Army to maintain in peace the large amount of transport which is essential on mobilization. We hope, therefore, that, when we have found the right type of vehicle, it may prove itself also really useful for commercial purposes, and should this be the case, we hope to take up a scheme to subsidize all such vehicles as may be brought out to this country for use in many of the large private firms, transport companies, factories, etc. Such a scheme would seem to have great advantages from both the Army and commercial points of view, but it is impossible to say at present when it will actually mature. From what I have said, the House will realise that, while we are by no means going to sleep or neglecting this most important matter of mechanization, yet we are not committing the country to heavy expenditure without the fullest consideration of all necessary factors.

I will now turn to a subject regarding which I know the House is anxious to receive information, namely, the Sandhurst Committee Report. It will be within the memory of Members of the House that a discussion on this subject took place during the last Simla Session, when I had to inform the House that the Government had not had sufficient time to consider the recommendations made by the Committee, and, therefore, were unable to make any pronouncement regarding them. I think, too, that most of the Honourable Members present will remember the very able speech which Dr. Moonje delivered when moving his Resolution on this subject. I personally listened to his speech with the greatest interest, and realised how deeply he had considered the matter and how fully he brought out many of the dangers with which this country may be faced; and I think that probably all Members of this House realised more even than they had done before how essential it is to maintain the Army in the highest state of efficiency. I gathered that Dr. Moonje's proposal to maintain and increase that efficiency was to Indianize it at a very rapid rate, though from what he said, it struck me that what he really aimed at was to Indianize India, *i.e.*, the whole Administration, rather than to Indianize one branch of the Public Services in this country. Since then Government have been in constant communication with His Majesty's Government, whose connection with and responsibility in this problem are so vital, and I am glad to say that we have now been able to reach unanimous conclusions regarding the question of the Indianization of the Indian Army as a whole.

There are certain general considerations which I think I may, without apology, lay before the House at the outset. There is no disagreement, in spite of what may be said in the course of political controversy, as to the object which we all seek to attain. We wish to satisfy the legitimate desire of India to see steps taken by which the Indian people may be equipped to take an increasing responsibility for their own defence. The

Government of India and His Majesty's Government have frequently given expression to this desire, but on one fundamental condition, which I think all will agree with me cannot be ignored. That condition is the factor of efficiency. The Indian Army is at present no greater than—and many would say less than—the minimum required for carrying out its appointed role. It is responsible for the external defence of India and for internal security, for the security of Indian States, as well as of British India; for we are bound by solemn treaty to provide for the defence of Indian States, and we can no more think of ignoring that obligation than His Majesty's Government could have denied the obligation to assist Belgium, to whom they were similarly bound by treaty in 1914. In the general field of external defence, the world is not so peaceful that we can afford to make less efficient an Army already reduced to the minimum, and the corollary of this is that we can admit of no lowering of the standard of efficiency. Another vital consideration which must be borne in mind is that, in any circumstances which can at present be foreseen, we shall continue to require, as the Committee themselves recognised, the best type of British officer to play his part in the Indian Army, and, whatever be the scheme which we now propose, it must have regard to the necessity of encouraging the flow of such officers into the Indian Army. With these three considerations in mind—

Firstly, recognition that a further measure of Indianization is necessary;

Secondly, that, as emphasised by the Committee, the efficiency of the Army in India must not be allowed to be diminished; and

Thirdly, as the Committee also observed, that there must be no breakdown in the supply of British recruits to the extent required,

Government have formulated proposals to achieve the end we have in view, which I will explain briefly to the House.

The Committee recommended an increase in the present number of direct vacancies at Sandhurst from 10 to 20 a year. They also recommended that Viceroy's Commissioned officers, who satisfy certain conditions, should be enabled to qualify for additional vacancies at Sandhurst. I am glad to say that His Majesty's Government have accepted both these recommendations. We propose that the number of vacancies at Sandhurst available for Viceroy's Commissioned officers should be 5, unless the number of cadet candidates for Sandhurst falls short of 20 in any one year, in which case the shortage may be made up by granting more vacancies to Viceroy's Commissioned officers, up to a maximum of 10. These proposals, it will be observed, involve a very large proportionate increase over the present number of vacancies.

In regard to the future, the Committee appended to their Report a table showing their suggested scheme for increasing the number of vacancies to be thrown open in succeeding years from 1929 to 1952, inclusive. This suggested scheme was contingent upon two events:

Firstly, that candidates of the requisite stamp and efficiency should be forthcoming in the numbers specified for each of those years; and

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Secondly, that as time went on the scheme would have to be reconsidered, and, if necessary, revised from the standpoint of efficiency. The Committee, if I may quote their own words, said:

"We are fully alive to the fact that the progress of our scheme, as of any scheme, must be contingent upon success being secured at each stage and upon military efficiency being maintained throughout. We have given explicit recognition to the possibility that our scheme, if adopted, may itself require to be modified in the light of experience."

With these considerations in mind, the Committee recommended that in any case their scheme should be reviewed in 1938. Now, while it was possible for the Committee to put forward a time-table of expansion as a suggested scheme for Indianization in the future, it is not possible for Government to commit themselves to a progressive numerical scale of this kind before they have seen for themselves the effect of the large initial increase in the vacancies offered. Government can only say at this stage that, if advantage is taken of the opportunities offered to Indian candidates, and the initial vacancies do in time produce a constant supply of young officers of the required standard of efficiency, the question of further increasing the vacancies to meet the supply will inevitably arise. In other words, the Committee have produced a programme which it realises is liable to be corrected according as candidates come forward or not. Government, on the other hand, prefer to frame the later stages of their scheme in the light of actual experience. It must be remembered that the 10 vacancies now available to Indians annually, do not produce 10 Indian King's Commissioned officers every year. By doubling the number of vacancies for direct commissions, and adding 5 more for Viceroy's Commissioned officers, we hope, as the Committee hopes, to improve and enlarge the annual supply. When that happens, that is to say, when a steady flow of candidates of good quality and in increased numbers is assured, the question of further increasing the number of vacancies is bound to follow.

As the House is aware, Indians have up to now been ineligible to enter the Royal Military Academy, Woolwich, or the Royal Air Force College, Cranwell. The Committee recommended that 8 Indian cadets should be eligible for competition to the former, and 2 to the latter. I am pleased to be able to inform the House that the Government of India and His Majesty's Government have been able to agree to the principle that, in future, both Woolwich and Cranwell will be thrown open to our Indian cadets. It has been decided that, in the first instance, a maximum of 6 vacancies for cadets shall be offered for the Royal Military Academy, Woolwich, divided between Artillery, Engineers, and possibly Signals; and the same number will be offered in the first year for the Royal Air Force College at Cranwell. The House will see that this makes a maximum total of 37 Indian vacancies at Sandhurst, Woolwich, and Cranwell. As regards the two latter, I have had to use the words "in the first instance", as naturally the question of the numbers to be admitted as time goes on must depend upon the existence of vacancies which can be filled. As regards Woolwich, this must depend upon how many of our Indian cadets are able to qualify for Engineers or Artillery, respectively. Both are comparatively small Services for which the number of vacancies must naturally be limited, and failures for one cannot be absorbed into the other; while in the case of the Air Force, the question of the eventual numbers will have to depend upon whether we meet with success in producing numbers

sufficient to enable us to evolve a satisfactory scheme for the formation of an Indian Air Force. These points will naturally have to be dealt with later on, as experience is gained regarding the numbers who may qualify. Indians have now, for the first time in history, the opportunity of becoming officers in the Artillery, Engineer, and Air Services of the Indian military establishment, and the obligation now lies upon India to prove that her sons are fit for this great charge.

It will be remembered that the Committee recommended that cadets for Woolwich and Cranwell should be treated precisely as other cadets going up in England, as regards examination and qualifications—a recommendation which has been accepted. In this connection, I should like to say a few words regarding the Sandhurst examination. I think the House is generally aware of the comparatively high percentage of Indian boys who pass into Sandhurst by the examination test held in this country, and then fail either in the retention tests while at Sandhurst or to pass out into the Indian Army. This may be due partly to a natural tendency on the part of the selecting authorities in India to pass a boy who has the smallest chance of getting through his subsequent examinations and passing out of Sandhurst. I know that I have felt this tendency at times myself. But I think that the subsequent failures are really due to the fact that, while the retention and passing out tests are identical for British and Indian cadets, the entrance examinations are different in character. As I stated when speaking on this subject in Simla, I regard it as a real unkindness to send a boy to Sandhurst unless there is a reasonable hope that, as regards educational and other qualifications, he will be on a par with the other cadets with whom he has to associate. If a cadet is unable to pass out of Sandhurst owing to his general low educational qualifications, it means that he will have wasted a year or eighteen months there which he might well have spent preparing himself for some other profession.

We therefore propose that our Indian boys should in future be examined, as far as possible, by the same tests as English boys at Home, making due allowance for difference in language and general knowledge. I should like to make it clear that our Indian boys will not be competing with British boys; they will compete among themselves, but the tests will, as nearly as possible, be the same as those undergone by British boys. We intend that the actual papers set for the Sandhurst examination shall be sent out to this country, and simultaneous examinations held in England and in India. If time permits, the papers from here will be sent to England to be marked by those who set them; but if there is not sufficient time, between the date of publishing the results and the date on which boys have to join at Sandhurst, to enable Indian boys to get their kit together and make their arrangements for the journey, then we propose that the papers sent from England shall be marked in this country by our Public Service Commissioners. We further propose that the Public Service Commissioners should in any case set and mark certain papers for Indian candidates, to take the place of some papers in the Home examination which are not altogether suitable and in which our boys might be somewhat at a disadvantage. There will probably be a special general knowledge paper suited to Indian education, outlook, and experience; and possibly also an Indian history paper in place of the existing modern history paper which deals mainly with European history; we also intend that there shall be papers in

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Persian, Sanskrit, Urdu, or Hindi, to be taken as optional subjects instead of Latin, Greek, French or German, etc. There are other minor points regarding which it will be unnecessary for me to go into detail here. I would only mention that approval has been given to the nomination of an Indian non-official gentleman by the Viceroy—as recommended by the Committee—to form part of the Oral Examination Board before which the cadets appear. It has also been decided that the local civil authorities, e.g., the Collector or Commissioner, shall not have the power of turning down a candidate before he reaches the examination stage.

I should like now to say something as to the method proposed by the Skeen Committee for the posting of Indian cadets to the units of the Indian Army. The Committee recommended that what is known as the eight-unit scheme should cease, and that the Indian cadet should be gazetted to any unit of the Indian Army. Although, as I have said, Government are at one with the Committee in their desire to increase the number of vacancies for Indians and are anxious to give India a wider opportunity to prove that suitable material is available, they are not convinced that the policy of posting officers as recommended by the Committee could be pursued without running a greater risk of reduced efficiency than they consider justifiable. And when the House realises the definite reason for which the Government of India at the time, on the advice of the late Lord Rawlinson, introduced the eight-unit scheme, I think it will also realise that it must be impossible to abandon it until it has had a full and fair trial. Lord Rawlinson was, I know, constantly pressed to state a date when he could say that further Indianization on a large scale could be adopted. He therefore put forward this scheme as designed to test Indians on their own merits, and the only way of carrying this out was to officer certain Regiments with Indians from Sandhurst, so that when a stage has been reached where Indians commanded Squadrons and Companies and later on Regiments, it would be possible to arrive at a definite conclusion as to whether units so commanded retained their efficiency equally with units commanded by British officers of the same standing. These reasons still hold good, and the present Government equally with the Government at that time feel that, if Indian officers were scattered all over the Indian Army, it would be impossible to obtain any criterion as to their ability to command units, to take responsibility, and generally to show themselves efficient unit commanders. I gathered that the recommendation of the Committee regarding this matter was to some extent the result of the evidence given to the Committee by young Indians who are now attached to these eight-units. On reading the evidence of these cadets, I must acknowledge that I was personally very surprised at its nature. I say this because, in the course of my inspections, I have, I think, seen all the units concerned, and have made a point of having a talk with every young officer. I mean a private talk at which I have asked the boys to tell me all about themselves—if they were quite happy with their regiments—and if they were being treated exactly and in all respects like their brother British officer; in fact to open their hearts about anything they wished to say. In only one case have I found a young officer who did not tell me that he was perfectly happy where he was. All the others spoke with the highest regard—indeed, affection—for the British officers serving in the Regiments with them, and I have invariably been assured that they were treated exactly and in every respect like the British officers of their own standing.

In the one case where I found unhappiness, it was curiously enough because the young Indian officer concerned told me that he did not get on with some of his brother Indian officers who had been gazetted to the Regiment from Sandhurst—a trouble which I hope this particular officer has since got over. I may mention that I frequently get letters from the parents of boys who are at, or just leaving Sandhurst, asking me to post their boys to units other than the eight in question, and their reasons for asking this are generally that they wish their boys to serve with British officers whom they have themselves known during their service in this country.

In this connection I should like to say how very much I deprecate the use of the word 'segregation' which somehow seems to have crept in, when talking of this eight-unit scheme. I cannot myself see where segregation comes in, for the Indian officers in these units are serving side by side with British officers—British officers with whom, as I have said, they are on the best of terms; and it will be many years yet before the last British officer is eliminated from any of the eight-units. The House possibly does not understand the system, which I will very briefly explain. The officers of a Regiment are divided into what I might call roughly three categories—the Commandant, Squadron or Company Commanders, and Squadron or Company Officers. Young officers on leaving Sandhurst are posted to units as Squadron or Company officers, and gradually work their way by seniority up those lists, before coming up for consideration for promotion to Squadron or Company Commanders. It takes from about 17 to 20 years' service for an officer to come up for the appointment of Squadron or Company Commander, and about 25 years' service for the appointment of Commandant. As the senior of our Indian cadets to be posted to Indianizing units has at present only some five years' service, and as the establishment of the Regiment has to be maintained in officers up to the 25 years' service which it usually takes to get command, it will be seen that there must for many years to come be a large proportion of British officers with all these Indianizing units; and who are purposely retained in them so as to give all the help in their power in the training of young Indians to assist them to take over the Command of Squadrons and Companies when they have sufficient seniority, and later on Regimental commands. With such a system, it seems hard to realise how such a word as segregation can be applied to it.

Bearing all this in mind, Government propose to continue as at present to post the new commissioned officers to specified units, in which units the anticipated output from Sandhurst can for some years to come be absorbed in the normal way. When this is no longer possible, and we find we have available young officers who have passed out of Sandhurst in larger numbers than can be placed on the cadres of Squadron and Company officers in these 8 units, we shall be in a position to commence forming one or possibly more-homogeneous units as far as its officer cadre is concerned, *i.e.*, King's Commissioned officers replacing Viceroy's Commissioned officers, and so forming the unit on the same organization as obtains in all British units; but, as I have said, it will probably be a few years hence before the existing cadres are complete with Indian King's Commissioned officers.

There is another recommendation made by the Committee to which Government have not been able to agree, namely, the immediate formation

[H. E. the Commander-in-Chief.]

of a Sandhurst in this country. The Committee recommended that this should be established in 1933. They fixed upon this year because, according to their time-table, the number of candidates from India would by that time be large enough to justify the establishment of an Indian Military College, and also would probably be more than Sandhurst could be expected to accommodate. The Government of India cannot, however, predict that the number in question will be reached in any particular year; and they therefore cannot now fix a definite date for the inauguration of an Indian Military College.

In making their recommendations for an Indian Sandhurst, I think the Committee had in view two principal reasons:

- (1) That, with the increased numbers of Indian cadets, it would be impossible for the home Sandhurst to accommodate them; and
- (2) That it was unfair that the parents of boys going from this country should be subjected to the heavy extra expenditure involved by educating their boys in England rather than in India.

As regards the first point, as I have already informed the House, the War Office has agreed to take out 25 cadets for whom there will now be vacancies. I believe—and I think that most Members will agree with me—that there can be little doubt but that the education and experience generally to be obtained by boys at the English Sandhurst, rubbing shoulders as they do daily with British cadets, must be all to their advantage, both in the formation of character and in their general educational qualifications for taking their place, in time to come, as officers of the Army. For years past we have certainly found that English boys going to Sandhurst improve enormously during their time there as regards the formation of character and all that this means. We have also found what a very beneficial effect the Sandhurst course has had on our Indian boys; and we feel that, as long as Sandhurst can continue to take in these boys for us, it is only right that we should take advantage of the education there. It will certainly take many years before we can hope to establish in this country a College which would be able to compete in efficiency with the training to be obtained in England; and let us hope that, when that time does come, we shall have a sufficient number of our own Indian *ex-Sandhurst* cadets—and in due course *ex-Staff* College officers—to take a hand in forming any Military College which we may establish out here, and to play their part as instructors and professors, at it.

Then as regards the question of expense. Knowing my Indian officers as I do, this is a point which has always appealed to me most acutely, for so many of our old Army officers have pointed out how they would like to send their sons to Sandhurst, but cannot afford to do so. I am pleased to say that Government recognise this, and have decided to meet the difficulty by giving a grant-in-aid to cadets educated at Sandhurst, Woolwich, or Cranwell, of an amount calculated to be the difference between what education would cost in such a College in this country and what the actual cost of the Home education in like circumstances is. (Applause.) I trust that this very important factor, which I personally am so very glad to see settled in this way, will meet with the approval generally of Members of this House.

Members will no doubt ask the question: "So far, so good; but what is to be the rate of further advance?" To this question the answer must be: "It depends upon Indians themselves". Until we have full experience of the results of the increase now proposed, we do not limit our discretion by detailing a fixed programme of automatic increase of these numbers. Such increase must depend, I repeat, upon results. The question of expansion of the numbers at present proposed, as of the creation of an Indian Sandhurst, will of necessity come under review when the numbers coming forward are greater than the new vacancies offered can absorb. The one essential condition will always be maintenance of the requisite standard. As I have already said, the object which we all seek to achieve is to fit Indians to undertake the defence of India. As constitutional advance progresses the question will continually be asked how far the military side of Indian Swaraj has kept pace? Government contemplates that, as India progresses towards full self-government within the Empire, there may be in process of development an Army of the same character as the Dominion armies, organized on a national basis and officered by Indians holding their own distinctive national form of commission. That is our policy of Indianization. This process of development will naturally be contingent on the success achieved in the various stages of the experiment. The way is now open for the first time for Indians to enter new branches of the Army, and to enter in greatly increased numbers. In no quarter is it desired to impose arbitrary limits to such expansion of India's military effort as events may prove to be within the reach of her capacity. The rate of progress in these matters, depending as it does so vitally upon the human element, cannot be the subject of an automatic time-table; but Government has now, I venture to think for the first time, laid down the lines of a policy which affords the best means of reconciling the legitimate desires of those who speak for India with the necessity of maintaining at every stage the requisite strength of our defence forces. (Applause.)

After hearing what I have said, I hope the House will be able to agree that all consideration and sympathy has been shown in meeting Indian aspirations. I feel I should apologise for having detained the House so long, and I will only add a very few words. I think Members of the House among whom are many old friends, know that the Indian Army has been my home for well over the last 40 years, and my love for it is entirely wholehearted. (Applause.) I yield to none in my affection for it—in my pride for its great traditions and wonderful past record—and in my jealousy to ensure that its future and efficiency shall be safeguarded. This I feel would not be the case if Government were to attempt to go further at the present time than they have done in the steps taken to further Indianization, which, if forced too hurriedly, would assuredly bring disaster to this Indian Army of ours, ruin to the cause of India, and broken hearts to the many magnificent old Indian soldiers who have been my comrades, and—as they themselves know well—my best of friends, throughout my lifetime. (Applause.)

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): Sir, I have listened with great attention to the long expected announcement which has just been made by His Excellency the Commander-in-Chief. I am sorry I have to confess that it leaves me cold. It is to my mind in perfect keeping with the policy to which we owe the Statutory Commission which is now doing wonders in the Madras Presidency. We know what those wonders are. It has entered into an alliance

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with all the Government Publicity Departments and also with that great news agency, whose worthy representative we have in my friend, Mr. K. C. Roy, in this House. That alliance is for the purpose of throwing dust in the eyes of the world. Sir, I have not the remotest doubt in my own mind that the announcement made this morning is a further step in the same direction. But I wish to tell all whom it may concern that it will no more deceive the public than have the glowing accounts which this mutual admiration society of seven has been issuing from the Madras side. Throughout the very graphic description of the great concessions that have been made to the public demand and especially to the recommendations of the Skeen Committee, we find no real substance. The real thing which we wanted, is to be found nowhere. Now, Sir, so far as the recommendations of the Skeen Committee are concerned, I must admit that I am one of those who found little reason to enthuse over them. I had once the honour of being on that Committee, and I may say, without meaning any disrespect and with due deference to my friend Mr. Jinnah, that I felt a sense of relief at having had no hand in those recommendations when I saw them in print after my having retired from the Committee at an earlier stage.

Mr. M. A. Jinnah: What do you feel now?

Pandit Motilal Nehru: I have the same feeling now; the feeling is more enhanced than it was, because even if everything suggested by the Skeen Committee had been given effect to, even if a Sandhurst had been founded in India, we would have been where we were for some generations to come. But that was not to be. The insatiable greed of the Government for domination would not contemplate even at a remote date the contingency of India's standing on her own feet. As far as I have been able to understand His Excellency the Commander-in-Chief and the programme that he has laid before us, it is simply a case of what is usually described as Indianization, at perhaps a brisker pace than it has been in the past. Now, I may say at once that the word "Indianization" is a word that I hate from the bottom of my heart. I cannot understand that word. What do you mean by Indianizing India? I think His Excellency himself was surprised at the use of the word. The Army is ours; we have to officer our own Army; there is no question of Indianizing there. What we want is to get rid of the Europeanization of the Army (Hear, hear from the Congress Party benches.) Now, what are the chances of our doing so. No Sandhurst is to be given to India, which means a great variety of propositions. First of all, it will be said that without a Sandhurst of the precise type and of the standard of the real Sandhurst, there can be no proper military education, a proposition which I deny. The next argument is that even the ten cadets that are required for the real Sandhurst are not available. The third ground is that it must take a long time to have such an institution in India. Now, Sir, I submit that not one of these propositions is sound. So far as the dearth of men and cadets in India is concerned, I have no difficulty in saying that it is a calumny on the manhood of India to say that there is any such dearth. (Hear, hear.) During the short period that I was on the Committee, I was convinced that it was not the dearth of men but the want of inclination to get at the proper men suitable for the purpose. What did we find? There were men sent to Sandhurst who were turned back because they could not even follow the language in which the lectures were delivered. And what do we find

in this country? Thousands upon thousands of men who certainly are quite able to follow the English language, whoever the professor and whatever the strange tongue that pronounces it. But they were not to be taken. What was the greatest recommendation for selection was whether the father, grandfather or great-grandfather of the candidate had served in the Indian Army. (Laughter from the Congress Party benches). That was the chief recommendation. However, I think that part of the case will be dealt with by my friend Mr. Jinnah who was on the Committee all through and has certainly superior knowledge to my own from the material that was placed before the Committee. I base my position upon the single circumstance that you have provided nothing for the training of our men whom you can find in any numbers you like, provided you have the inclination to find them. An Indian Sandhurst is not to come into existence! What is to happen? Well, there are some more places for cadets to be thrown open at Woolwich, Cranwell and Sandhurst, and the process of what is called "Indianization" is to take its own course. Then the question formulated by His Excellency was: "Perhaps some Members would ask me—what about the future?" He raised India to the position of gods when he said: "The future is on the lap of India; it lies with India". What is poor, emasculated, helpless India to do with its teeming millions, with its thousand and thousands of capable, able-bodied and intelligent young men who are ready and willing to join the Army if they were given the chance, unless there is some means of training provided for them, unless they are admitted on their own merits and not on the merits or demerits of their fathers and grandfathers? Sir, the whole thing is that there is no intention of putting India on her feet at an early date. That is the whole truth of the matter. However sugar-coated the announcement may be, however tempting the offer of admission into Woolwich, Cranwell and Sandhurst, the fact remains that no substantive advance has been made towards giving us a national army in the sense of its being officered by Indians.

Now coming to the question of expense of founding training schools and colleges, I say that if we can afford over 50 crores of rupees every year for the normal expenses of keeping up this large army, it is sheer hypocrisy to say that we cannot afford a quarter of that amount which I have no doubt will suffice to provide military schools and colleges all over the country. In order to meet our annual requirements we must find the 50 crores, but we can find no money for these training colleges. I submit that, if His Excellency the Commander-in-Chief were really to turn his attention to the military budget, he will find in that very budget enough funds to devote to purposes of training. However, as I have said elsewhere and here, I see no sign whatever in British statesmen of a real desire to give India what by word of mouth they say they intend to give. There is no real desire, and unless there is that real desire, India cannot progress.

I was rather amused at certain parallels drawn by His Excellency. One of them was that the Soviet Budget was much larger than the Indian Budget, that it had increased by 50 per cent. I have recently been in Soviet Russia, and I know why they are increasing their military budget, at least the reason which they gave me. They are living in perpetual danger of England provoking a war with them. (Laughter from the Treasury Benches.) It is very easy to laugh, but I think many of those who laugh have not been admitted into the confidence of the War Office and know nothing about what the designs of the War Office are. What

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a comparison this is. What is the army in Russia? It is a national army. It is the army of Russian peasants officered by Russians. Any amount of expenditure in face of a common danger will not be grudged. What is our army? I have not the slightest hesitation in saying that our army is a mercenary army employed by foreigners to put down their own countrymen, and to keep them under foreign heels. Surely no self-respecting nation will without compulsion contemplate such a contingency as having to pay for a mercenary army in order to remain under control by an alien Government.

Then His Excellency said that some of the Indian soldiers who were sent to China made large remittances home. That again was a very interesting piece of information to give. Where did these remittances come from? Was it the savings from their salaries, or was it loot which they were allowed to make from the poor Chinese? If it was . . .

The Honourable Sir Basil Blackett: The savings of their salaries. Sir.

Pandit Motilal Nehru: What about their savings in India then? Why should they be able to save money in China, in a foreign country and not in India?

His Excellency the Commander-in-Chief: I do not know why; but I can assure you they did save.

Pandit Motilal Nehru: I am sure they did; but probably they were let loose upon the poor Chinese who . . . (*Cries of: "Withdraw" from the Government Benches.*) I am not going to withdraw. I repeat a thousand times that our soldiers were not used . . . (*Cries of: "Order" and "Withdraw".*) You may shout yourselves hoarse. I will not withdraw. I say that our soldiers were not used for the honourable purposes for which a soldier should be used. (*Cries of: "Hear, hear" from the Congress Party Benches.*) They were used in order to humiliate the nationals of another country who wanted to assert their independence against . . .

Mr. G. M. Young (Army Secretary): You said they looted.

Pandit Motilal Nehru: You exacted from them a duty which, if they had been independent, they would have refused to perform.

The Honourable Sir Basil Blackett: Will the Honourable Member substantiate the statement that they looted and that they were ordered to loot?

Pandit Motilal Nehru: What am I to substantiate?

The Honourable Sir Basil Blackett: A lie.

Pandit Motilal Nehru: Am I to substantiate what is human nature to my learned friends over there? I say it is human nature and I repeat it a thousand times over in spite of all the noise that has been made on the other side.

The Honourable Sir Basil Blackett: I say it is a foul slander.

Pandit Motilal Nehru: Then you are so full of animal nature that you have no idea of what human nature is or ought to be. It is nothing but animal nature which prompted the sending of these troops there in spite of the protest we made in India. However, Sir, leaving that alone, it is no consolation to any Indian that his countrymen who were soldiers sent to China were able to make remittances home from China.

Then His Excellency said that we will get advanced Indianisation—that is his word again—in proportion to the advance in responsible government. Now, what are the steps that are being taken for any substantial advance in responsible government? There is the Statutory Commission; as I said, it is assiduously busy in circulating glowing accounts of its own proceedings and in suppressing the real kind of reception that they are having. And what will they do? They have now given out the procedure which they mean to follow. That is a procedure, Sir, which we of the Congress Party at any rate will not submit to for a single moment. How is responsible government to be granted to India? The Army is kept apart. The Army is no part of responsible government. There is a separate Committee to go into the question of the Indian States. They are not in India. And yet responsible government is to be granted by some miracle by this Statutory Commission to India. It is not pretended that responsible government is to be given; it is only a progressive advance that is going to be made; just as His Excellency the Commander-in-Chief has said increasing responsibility in the Army, corresponding to progressive responsibility in government

Lala Lajpat Rai (Jullunder Division: Non-Muhammadan): There is nothing to prevent them saying that we should go back on the existing reforms.

Pandit Motilal Nehru: I thought you said going back without doing anything; I am sure they will go back after doing some mischief. However, Sir, this is an age-long affair. There have been Empires before this which have done the same thing. They have ignored the lessons of history, and the British Empire is doing the same. I will not say more on this occasion but sit down after again repeating the warning that the day of reckoning is not very far.

***Mr. M. A. Jinnah:** Sir, I appreciated the words of His Excellency the Commander-in-Chief when he said that the Government appreciated the labours of the Sandhurst Committee as well as the work of the Sub-Committee, whose report and proceedings still remain suppressed and concealed by the Government, (*An Honourable Member*: "Shame"), and the only reason that we heard after repeated questions and supplementary questions on the floor of this House was that His Lordship the Secretary of State for India was pleased to direct that the report and the proceedings of the Sub-Committee should not see the light of day. His Excellency the Commander-in-Chief was particularly pleased to commend the labours of the Sub-Committee which are kept in the dark. And nobody knows anything about it. I wonder whether His Excellency the Commander-in-Chief himself knows anything about it. If his appreciation was a genuine one, then I hope it is based on the work which he knows has been done. If he does not know it, which is very likely—probably he has not seen the report himself—in that case it was a formal acknowledgment of appreciation of our labours. But whatever it may be, I would

*Speech not corrected by the Honourable Member.

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again ask His Excellency the Commander-in-Chief the same question which I asked on the last occasion when the debate took place on this subject—may I know what object you have in trying to suppress and conceal the report and the proceedings of the Sub-Committee? Can you explain to me why you want to do it?

Sir, let me pass on from that point. My friend Pandit Motilal Nehru said that he had the honour of belonging to that Committee but he left it. I think he was wise. (Laughter from the Congress Party benches). He at any rate realised that it was not worth his while to waste his time, his energies and his brains, and at some sacrifice. But, Sir, I did not follow that line, and I said "We must continue; we must produce what we consider a fair, reasonable and practicable scheme for the purpose of accelerating the Indianization of the officer ranks of the Indian Army". We were at it, Sir, for fourteen months, and the report I was happy to find, was unanimous. And what is the answer of the Government to-day? The Government has fundamentally turned down that report. It cannot be disputed. The very foundation of that report was turned down. The Report was made, Sir, on the 14th November, 1926, and to-day we are in March 1928, and His Excellency the Commander-in-Chief, representing, I suppose the Government of India after due and deliberate consideration of this report for this long period, is to-day in a position to make this pronouncement. Sir, I can only say that I most emphatically protest against this pronouncement. I say it is a travesty of the recommendations, the unanimous recommendations of the Sandhurst Committee. I say, Sir, that on this occasion it is very difficult to deal with the details of this pronouncement which the Commander-in-Chief has made. And I would therefore take the earliest opportunity, if possible at the next meeting, to move the adjournment of this House, as a vote of censure on the Government for not carrying out the recommendation of the Sandhurst Committee, which was approved by this House by an overwhelming vote. Therefore, Sir, I will reserve myself, if that occasion is possible for us.

Mr. President: You will only have 15 minutes then.

Mr. M. A. Jinnah: Now, Sir, I am not going to take up much more time, if, as I say, it is possible for us to avail ourselves of the opportunity to move an adjournment . . .

Mr. President: But that will only give you 15 minutes.

Mr. M. A. Jinnah: It may be, Sir. But as I say, I shall have 15 minutes on that occasion. And if I do not succeed again in fully dealing with this announcement which the Commander-in-Chief has made, then, Sir, according to the procedure of this House, I shall avail myself of another occasion, and that is to move either a cut or the total rejection of the military grant. (Hear, hear.) And perhaps, Sir, even if you will deal with me most strictly, I shall get another 15 minutes. Therefore, Sir, I shall avail myself of the 15 minutes that are possible now. And I say, as I started by saying, that I enter my emphatic protest against this announcement. The Commander-in-Chief, Sir, has given us a long and detailed statement. But it comes to this. He says, the 8 unit scheme must remain in operation. I think he knows as well as I do that every British

officer who gave evidence was opposed to it, and every Indian officer who gave evidence was opposed to it. And yet it is not given effect to. Why? I will give you, Sir, and this House, the only reason. The Commander-in-Chief put it in a very diplomatic manner, because he thought it will be taking a risk. What risk? Of displeasing the British officers. What risk? That the British recruitment may fail. Why? Because it is only by means of the 8 unit system that an Indian will never be the superior of a British officer. And, Sir, it cannot be denied, that that is the only method by adopting which you will maintain the position that no Indian can command a British officer. And that, Sir, is clearly given as an annexure to the Sandhurst Committee's report in an extract from a lecture. This is what the lecturer said.

"We find fifty-three Indians amongst them (subalterns) out of a total of 480. Of these fifty-three, eleven belong to Indianised units, and out of the forty-two remaining, six are over forty, and twenty-two between the ages of thirty and forty. The majority of these will take their first pension and clear out, for age precludes the possibility of their rising very high. Fourteen are left, eight of whom will not become captains till they are thirty-two years of age or over. Probably these will find that age will prevent their going very far, and of the six remaining, four will be just on thirty when they get their captaincy, and only two will get their captaincy at the age of twenty-eight. A study of the Army List leads me to the conclusion that twenty years hence only a very few Indian officers out of those now serving will be left scattered about among the 131 units of the Indian Army open to British officers to-day."

With reference to the scheme of the eight Indianised units this is what he says:

"Firstly, what are the chances of a British officer entering the Indian Army to-day having to serve under Indian officers? In considering this question, remember that the average age on becoming a captain in the Indian Army is twenty-eight, and on becoming a major, thirty-seven. The figures that I give are approximately accurate and are taken from the Indian Army List of January, 1925. In the Indian Army to-day we have seven Indian captains, of whom two are about to go. Of the remaining five, two belong to Indianised units to which British subalterns are not being posted; so, of a total of 1,583 captains in the Indian Army, there are only three Indians under whom a Britisher might be called upon to serve, and two of these, owing to their age, are not likely to be promoted beyond the rank of major. So much for the captains."

Well, Sir, in the 131 units there are a few Indians that are scattered about, of which only a very few—two or three—may get a chance of being superior officers, to the British officer, and in the eight Indian units there is no chance—it obviously stands to reason—there is no chance that a British officer can ever be under an Indian officer. Now, Sir, that is the plain meaning of it, and that risk the Commander-in-Chief says he is not prepared to take, and therefore, on this ground. His Majesty's Government, with his concurrence or the concurrence of the Government of India, have decided that this system of 8 units should continue. I ask you, "Do you think you can justify this?" If you think so, I have nothing more to say. Then, Sir, with regard to other matters, says the Commander-in-Chief, "We are not going to say anything against the recommendation of the Sandhurst Committee and we have practically turned it down. But we are going to do this. We are going to increase the number at Sandhurst and a few little things which the Committee recommended, which are matters of detail, might be carried out." Sir, that does not take us any further at all except that you may say, "Well, you had only 10 vacancies; you will now get 25." I concede that he has increased the

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number. But, Sir, that is not really what we are aiming at. You might say that while up to now Indians were not admitted into Woolwich and Cranwell, now you get 6. That is not what we are aiming at. The Commander-in-Chief knows perfectly well, and he knows better than anybody else in this House, that what we wanted was to lay the foundation, the beginning of a Military College in India, that will establish our own traditions, that will establish a system of our own, and the sooner that is done the better. And you want that the later it is done the better. That is the real issue.

I will not detain the House further on this occasion, but I may say one word. As regards the observations that His Excellency the Commander-in-Chief made, that he agreed with Sir Victor Sassoon that the military expenditure which we were paying was an insurance premium for safety, that phrase is very attractive and it conveys various meanings. But, Sir, have I got the choice of changing the insurance office? Have I got the choice to say that I could get as much safety by paying a little less premium? (*Sir Victor Sassoon*: "To whom?") Not to you, but to the people of this country. What is the good of saying all that here? Here is a machine. The whole machine of yours is based, as I have repeatedly said, on the principle of a garrison in this country. His Majesty's forces are stationed in this country as a garrison, that is the principle of your insurance. I do not want a garrison to insure me, but I want a national army. So the whole principle is bad from start to finish. Of course, so long as you maintain this vicious principle, so long as this machine continues with its present constitution, with its present organisation, undoubtedly you cannot reduce the expenditure very much. What is the good of His Excellency the Commander-in-Chief telling us yarns? It reminded one of the stories that one heard from one's grandmother when one was a child. He told us, "Oh, but the Army. Good gracious me! It is doing more national work, it is a better nation-building department than any other department that exists in this world. You see what we do. We give them education, we spend so much money on it. We train the people. Look at them. They are better fed, better clothed than they would be in their own villages. We do so many things. We have got our little factories. We are pioneers of every national movement in this country." Sir, I may tell His Excellency that these yarns will not do. That is not the issue. I dare say you have reduced the price of ghee, and I do not charge His Excellency with not doing his best. I do not blame him. If you were to put me there in the place of the Commander-in-Chief I would say the same thing that I want Rs. 56 crores or 57 crores, because I have got to run this machine. But that is not the issue. Why tell us these little yarns and these stories here as if that was the issue. Our fundamental opposition is to this machine. We want to turn this garrison into a national army. That is our ambition. Do you wish to help us or do you not? I am convinced in my mind that the British Government does not wish to help us. I had my faith, I served on the Sandhurst Committee in that faith. But let me tell His Excellency the Commander-in-Chief that by turning down this report and by the pronouncement that he has made, he has completely shattered my faith in the *bona fides* of the British Government.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

STATEMENT OF BUSINESS.

The Honourable Sir Basil Blackett (Leader of the House): Sir, with your permission I should like to make a statement regarding the probable course of business in the week beginning the 12th March. Monday, the 12th, Tuesday the 13th, Wednesday, the 14th and Thursday, the 15th, have been allotted for the voting of Demands for Grants. For Friday and Saturday, the 16th and 17th, a continuous List of Business will be published in good time. It will contain the motions necessary for passing the Indian Finance Bill, the Indian Merchant Shipping (Amendment) Bill, the Indian Tariff (Amendment) Bill, the Steel Industry (Protection) Bill and any other Bills of which the Select Committee reports are laid either to-day or on Saturday, and it will also contain motions for the appointment of the Standing Finance Committee, the Railway Standing Finance Committee and the Railway Advisory Committee, and a motion for filling the vacancies on the Public Accounts Committee.

With regard to the order of the Demands for Grants, I have been approached by representatives of the various groups in the House with a view to some modification in the numerical order being allowed. I have accordingly arranged that the procedure should be as follows, after consulting you, Sir. On Saturday and Monday we propose to go straight ahead with the numerical order of the Grants. On Tuesday, after finishing any Grant that may be left over unfinished on Monday, it is proposed to take Grant No. 72, "Miscellaneous". When this is finished the next Grant to be taken will be No. 82, "Secretary of State for India," then No. 40, "Central Board of Revenue," then No. 74, "the North West Frontier Province, No. 38, the Army Department and No. 54, "Education." If before the end of Thursday evening those Grants have been disposed of, it is then proposed to return to the numerical order. That arrangement has been made after consulting leaders in various parts of the House with a view to giving the House an opportunity of choosing the order in which Grants shall be taken.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadian): May I make a correction? So far as my Party is concerned, we have selected the item "Executive Council" and not "Education."

The Honourable Sir Basil Blackett: I am willing to alter it. My information was that "Education" has been selected.

Lala Lajpat Rai: That is wrong.

The Honourable Sir Basil Blackett: Then that will be altered.

Lala Lajpat Rai: Our number is the 6th.

THE STEEL INDUSTRY (PROTECTION) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I present the Report of the Select Committee on the Bill to provide for the modification of certain import duties relating to the protection of the steel industry in British India.

THE GENERAL BUDGET—GENERAL DISCUSSION.—*concl'd.*

Mr. President: The House will now resume the general discussion of the Budget. Mr. Jamnadas Mehta.

Mr. Jamnadas M. Mehta (Bombay City: Non-Muhammadan Urban): Sir, to-day, after five years, is the day of judgment for the Finance Member of the Government of India; it will be the unanimous verdict of all independent sections of public opinion in this country that he has been weighed in the balance and found wanting, and this verdict of contemporary opinion will be confirmed by posterity. The other day, Sir, during the debate on the Simon Commission, the Finance Member claimed that he and his side were better Swarajists than the whole lot of Congressmen on this side; it is also the claim of his apologists and friends that there never has been a more brilliant Finance Member in the history of this country than Sir Basil Blackett; both these claims are preposterous and I challenge them categorically. In the very year in which the Finance Member took his office, Sir, he advised the Governor General to certify the salt tax. That was his first constitutional achievement. It was not necessary to impose a higher salt tax, because there was that windfall from the enemy ships which was known to him at that time; and yet with that full knowledge he made his debut as a "Swarajist" by advising the Governor General to certify the salt tax. Almost the last act of his career was the amazing attempt to introduce a Bill on the Reserve Bank question while another Bill was already pending in the House; thank God, Sir, to the admiration of all of us here and outside and to the admiration of independent opinion everywhere, that attempt was defeated by you. So much for his "Swarajism." I shall now mention two striking examples of his financial genius. Honourable Members will remember that he converted the 7 per cent. loan of 1921 into a 3 per cent. loan by doubling the face value of the bonds. He has undertaken to pay Rs. 200 for a bond of Rs. 100; but he claims that he has reduced seven per cent. interest to six per cent. There is thus a saving of one per cent. of interest. Now, Sir, if the currency of the loan be some fifty years or so the saving of one per cent. might act as a sinking fund, and when the loan matures it might, along with the normal sinking fund and by accumulating at compound interest, give us an amount equivalent to the face value of the bonds; but such does not appear to be the case; the loan is being already liquidated, and the only question is, what is the extent of the loss which the Indian tax-payer has to suffer by the conversion of the 100 Rs. bonds into 200 Rs. bonds? The second and the latest financial achievement of the Finance Member has been that last year he borrowed by Treasury Bills five millions in the London money market when money was cheap and recently, when money was dear, he has borrowed 7½ millions as a long term loan at 4½ per cent. to repay the £5 millions of Treasury Bills. He should have floated the long term loan when the rate was low; but he did not. He should have borrowed by means of Treasury Bills, when the rate of interest was high. Again he did not. These are some of the constitutional and financial achievements of the retiring Finance Member. There is a proverb in Hindustani, Sir:

"Dunia Zukati hai, Zukanewalla chahiye"

which means:

"The world is credulous and can be gulled successfully if there is only the adequate amount of brass and cunning."

The truth of this proverb has been time and again illustrated in the career of the Finance Member of the Government of India during the last five years. He has shown an incorrigible obstinacy, a self-confidence unparalleled in its intensity and amounting almost to conceit, and he has never concealed his contempt for the opinions of those who had the misfortune to differ from him; by these means he has managed to create an impression in some quarters that his régime has been a landmark in the history of this country. For instance, the other day the *Statesman* observed "that it will be many long years before India will come across a Finance Member like Sir Basil Blackett"; but the absurdity of the claim was promptly exposed by the *National Herald* of Bombay which said:

"We are prepared to wait for those many years, and if we come across such a Finance Member again it will be by accident. We shall not trouble to search for him."

This is the verdict of independent Indian opinion on the régime of the Finance Member, but there is no doubt that many unwary people are misled into a belief that the Finance Member has rendered some great service to us.

Sir, I shall therefore now deal with the budget figures of this year to show that this claim of the Finance Member cannot be sustained. The five years' régime of Sir Basil Blackett has been one of unqualified disaster and calamity to the economic growth of India. Surpluses have been galore and the Finance Member has distributed small presents here and there. But these advantages have been secured with the help of a heavy and crushing burden of taxation. My friends, Mr. Birla, Mr. Shanmukham Chetty and Sir Purshotamdas Thakurdas, have referred to this question in a general way. I wish to discuss it somewhat more fully. I propose to show to the House how much taxation has been levied since the Reforms, how much of it has been continued by Sir Basil Blackett, how much more has been added and how much has been remitted. Sir, the Reforms began with a contribution of 9 crores and 83 lakhs from the provinces. Then in the year 1921-22, taxation was levied to the tune of 19 crores and 17 lakhs; in the subsequent year, 1922-23, taxation to the extent of 29 crores and 15 lakhs was levied. Then in 1923-24 came the 6 crores of additional taxation by the doubling of the salt tax. The various protective measures for steel, paper, ink, cement and others, have cost something like 2 crores a year. Moreover, when the tariff on sugar and other articles was changed from *ad valorem* to bulk, we had another increase of taxation to the extent of 2 crores. Raw tobacco has been taxed to the extent of 18 lakhs a year; a duty on yarn was levied at Simla last year. In all, Sir, if we total up the amount of taxation levied since the Reforms, the figure is not 45 crores, as some people imagine, but 68 crores in all. The total burden on the tax-payer since the Reforms, which was levied partly before Sir Basil Blackett came and partly afterwards, amounts to 68 crores and 50 lakhs

Sir Walter Willson: But you have voted some of this.

Mr. Jamnadas M. Mehta: I am responsible for what I voted. And what is the amount that is remitted? The provincial contributions have been remitted; so Rs. 9 crores and 83 lakhs go. The doubling of the salt tax has also been abolished; so 6 crores more are saved. One crore and 81 lakhs have been saved on account of the cotton excise duty and reductions of railway rates and fares to the extent of 5 crores in 1926 and this year

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have been secured and announced. A reduction of 80 lakhs on machinery and stores was also made last year in Simla. And altogether the remission of taxation has been Rs. 23,50,00,000.

Mr. H. G. Cocke (Bombay : European) : That is in one year.

Mr. Jamnadas M. Mehta : No ; that is ever since the Reforms came into force. I say, Sir, that the total amount of taxation that was levied was 68 crores and 58 lakhs and the total amount of taxation remitted is 23 crores and 50 lakhs, which leaves to the credit or discredit of the Government of India a balance of additional taxation to the tune of over 45 crores a year since the Reforms. This taxation was levied during the War in Waziristan and as the aftermath of the Afghan War of aggression—when the prices also soared very high. But now there is no war and there is no expedition in Waziristan and prices have fallen ; therefore we cannot understand the continuance of 45 crores of taxation. It is childish for any Honourable Member to clap his hands in glee at the remission of provincial contributions. After giving the fullest credit for the remission I have mentioned, the ghastly fact stares us in the face that since the Reforms we have been made to pay 45 crores of additional taxation a year.

Now, Sir, is it any wonder that with such heavy taxation nobody is safe *except* the Government of India? Budget prosperity is not necessarily the prosperity of the people of the country. The parasite may be prosperous but the person whose blood it sucks is bound to be otherwise. And the Government of India, Sir, is a perfect parasite, who sucks the blood of the tax-payer to the extent of 45 crores of rupees. The parasite is quite well-fed, strong and comfortable, but at whose cost? Poverty, misery and prostration—in fact economic collapse all round—is the background of the prosperity of the Government Budgets. There are the apologists of the Finance Member who say : “Don’t you see how clever he is ; how versatile he is ; how very able he is and all that sort of things.” But, Sir, when my pocket is being picked, I do not admire the sharpness of the pickpocket’s scissors. When I am being slaughtered, I do not admire the keenness of the blade or the unerring blow of the hand that gives it. On the other hand, when my pocket is being picked, I am angry if somebody tells me that the scissors are sharp. I really cannot appreciate the praise of the pickpocket when I am actually losing my purse. It sounds so provocative to me when I am being deprived to the extent of 45 crores a year, that someone should seriously come forward and say : How clever the Finance Member is!

Sir, I shall now deal with the results of the financial policy of Sir Basil Blackett. Sir, the particulars of company flotations during the last five years are published in the *Indian Trade Journal*. I think it is a semi-Government publication.

An Honourable Member : It is a Government publication.

Mr. Jamnadas M. Mehta : We find that against nearly 70 crores of new flotations in 1914 we have 34 crores in 1922-23, 26 crores in 1923-24, 21 crores in 1924-25, 30 crores in 1925-26, 19 crores in 1926-27, and for the ten months of this year 13 crores and 35 lakhs, against as I said, the flotations of 70 crores in 1914. Most of these flotations are not new ventures but merely conversions of private firms into limited companies for the

purposes of income-tax. It will thus be seen that industrial enterprise has gone down by nearly 75 per cent.; but that is not all. To-day prices are 146 against 100 in 1914 and therefore where a rupee was then wanted to start new factories or some fresh venture, Re. 1/6 or Re. 1/7 would be necessary now so that 19 crores of fresh capital to-day represents 11 or 12 crores of 1914. This abysmal slump in the industrial world is the result largely of heavy taxation imposed and continued from year to year, and partly of Government competition in the money market. Loans in the open market and the attractive terms of the Post Office cash certificates have drained money, as if by a hydraulic press, into the coffers of Government. Six per cent. compound interest tax-free investment in the Post Office and 45 crores of additional annual taxation have drained whatever available money there does exist in the country. With these handicaps trade and commerce also have been depressed to an unheard of extent in recent years. Take the figures of the last three years. In 1925-26 the balance of trade of India was 161 crores and 13 lakhs. In 1926-27 it went down to something like 80 crores,—a difference of over 80 crores. The 10 months' balance of trade in this year 1927-28 is only 37 crores; only two months are left. Even assuming that it will be doubled in two months, assuming it at 75 crores, still there is a difference of 85 crores since 1925-26, so that in 2 years, as a result of the disastrous taxation, the trade of India has shrunk to the extent of 165 crores, and the process will go on until adjustments take place. What is the use of your petty surpluses of 3 or 4 crores if they are obtained at the cost of 25 times the amount to the traders, agriculturist and industrialist, resulting in widespread unemployment? There is one more point about the present level of taxation. The House must not forget that the real burden of the entire taxation, i.e., 125 crores is enhanced by 12½ per cent. by the appreciation of the rupee. Of course my Honourable friend, Sir Walter Willson never appreciates logic. He is more concerned with lucre.

I have shown, Sir, that both industrially and commercially India has retrogressed during the last few years. You can find that out also from the customs returns. You will find that out from the income-tax returns. The customs returns show an increase—in what? In liquors and beers; they show an increase in the articles of food and mineral waters which are consumed by the richer classes. (*An Honourable Member*: "Shame.") There is also an increase in cigars and tobacco and in motor cars; so that it comes to this: that under the new dispensation the richer classes can eat, drink, drive, smoke and be merry at the cost of the masses of the people. (*An Honourable Member*: "Only those who can afford it.") I mean those who can afford it,—the richer classes, the bond-holders, the usurers, the civil servants, and those who make money at the cost of the people of this country, they can eat, drink, smoke, drive and be merry; that is the upshot of the customs:

Sir Walter Willson: Root it out!

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Don't you do the same?

Mr. Jamnadas M. Mehta: No, thank you. That is the analysis of the customs revenue. Your income-tax revenue is now put at a few lakhs higher because those bonds which were free of income-tax are now subject to income-tax; the little increase is also due to the fact that tea is partly to be brought under income-tax. As a matter of fact there is no growth. The income-tax is a more effective barometer of the prosperous condition of

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a country than even the railway returns. Regarding railway returns, I am sorry Sir George Rainy is not here; but the Finance Member attempted to show that the Railways were prosperous; let him refer to the Railways Administration Report and he will find that during the last three years the return on the capital invested in Railways has gone down from over 5 per cent. to 4 per cent., and on his own showing the country cannot be flourishing if the Railways are not.

I shall now refer to the question of the provincial contributions. The remission of provincial contributions is supposed to be a great effort on the part of the Government. As a matter of fact, it is well known that Bengal never paid its share except in the first year. So the remission of taxation is only to the extent of Rs. 920 lakhs; but let us see what is the additional taxation which the Provincial Governments have received from their own subjects in the meantime. I find that the revenue of the Provincial Governments in India when the Reforms began was Rs. 7,043 lakhs for all the provinces. To-day it is Rs. 8,751 lakhs; so that the Provincial Governments have already taken from the people of the various provinces Rs. 1,708 lakhs more during the last five or six years of Reforms, and even when they get the remission of the entire provincial contributions they will have paid almost double the amount of the remission in the form of additional taxation without receiving increased education, medical relief, etc. Let us see how the amount of Rs. 1,708 lakhs raised by the Provincial Governments during the last six years from the provincial taxpayer has been spent by them. Only 321 lakhs out of this amount has been spent on education, medical relief and public health, and they have spent or misspent the remaining Rs. 1,387 lakhs on other things.

Mr. President: Order, order.

Mr. Jamnadas M. Mehta: I will sum up, Sir. It is clear that the remission of provincial contributions will bring no real relief to the people of the provinces because they have been already taxed by twice that amount. We have the case of the Bombay Government which got Rs. 56 lakhs of remission last year and has spent only 24 lakhs on education, etc., and misspent the remainder on other objects.

These facts point to the irresistible conclusion that the administration of the Finance Member during the last five years has been an unqualified calamity on the central and provincial tax-payers alike. Sir Basil Blackett leaves the shores of this country as a brilliant but inglorious failure. Partly on account of temperamental difficulties, and partly owing to the fact of his being a representative of vested interests, he has most ignominiously failed to stand by this country or to serve the people whose salt he has eaten. Sir, I have done.

Lieut.-Colonel H. A. J. Gidney: Sir, I must join those Members on this side of the House (*An Honourable Member*: "Which side?") even at the risk of being called an Imperial florist in offering my bouquet of congratulations to my friend Sir Basil Blackett. Whatever has been said by the opposition against his régime, there can be no two opinions that Sir Basil Blackett has done for Indian finance what no other Finance Member has ever done, and I am sure, will ever do. (*An Honourable Member*: "He said the same thing before.")

Mr. B. Das: What about the Civil Service?

Lieut.-Colonel H. A. J. Gidney: Do you belong to the Civil Service?

Mr. B. Das: I am referring to the Civil Service Finance Members.

Lieut.-Colonel H. A. J. Gidney: Having given that bouquet, I shall now proceed to deal with a certain aspect of the Budget with which I am familiar. I do not intend to dabble in taxes and figures for, as a layman, I do not wish to cross swords with His Excellency the Commander-in-Chief, an expert on our military needs or with Sir Basil Blackett so far as finance is concerned; I shall leave that to those amateur financiers—I mean my friends on the opposite side of the House unless, of course, my friend Mr. Jamnadas Mehta wishes to dispute this.

Well, Sir, the question with which I wish particularly to deal relates to the medical aspect of the Military Budget. I have, in previous years, referred to the wanton waste of money on this part of the Military Budget. I have frequently brought to the notice of the Finance Member, as also to the notice of His Excellency the Commander-in-Chief, that the medical administration of the Army in this country is carried out with a great waste of the Indian tax-payer's money. I am afraid my appeals have hitherto fallen on deaf ears. The Inchcape Committee, which has been quoted largely to-day, is very instructive as showing the wastage of money that was then taking place in the medical branch of the Army. The Inchcape Committee submitted its Report in 1924, and it made some very scathing remarks on the financial profligacy that was being practised by the Army Medical Department. That Committee recommended an immediate reduction of 25 per cent. in hospital beds, and that the total cost of the department, Rs. 145 lakhs, should be reduced immediately by five lakhs, excluding a reduction of 53 lakhs from provision for diet, clothing, instruments and medicines for patients and staff. That was in 1922-23. Let us compare that with the position to-day. Let us start with the personnel. In the R. A. M. C. in 1922-23 the total cadre was 382, to-day it is 279 or 243. This means a reduction of 53 during this period of five years, and yet there is an increase of Rs. 2,60,000 in their salaries; and though the I. M. S. cadre is more, yet the cost of its upkeep is less, by three lakhs, than the R. A. M. C. to-day. Take the British nurses and matrons in British military hospitals. This shows a reduction of 55 in the personnel; yet there is an increase of almost one lakh in cost. Let us take the R. A. M. C. (Ranks) who have recently been imported into the British military hospitals in India as a post-war measure. Although there is an increase of only 20 in the personnel, the increase in cost is about one lakh of rupees. Furthermore, notwithstanding this increase in cost of British personnel of nearly four lakhs (instead of Inchcape Committee recommendation of an immediate reduction of five lakhs) there has been a reduction of 3,000 in the number of beds in the British military hospitals. Now, Sir, has the Army Department carried out the Inchcape Committee recommendations? I am sure the Army Member, if he were here, would not be able to say that it has been carried out; and yet, His Excellency and the Finance Member said the military budget could not be reduced. On the contrary the expenditure has increased notwithstanding other factors which should have enabled a still further reduction last year. These being (a) the reduced personnel in the Army of all ranks, (b) a part of the Army was engaged in China during 1927 whose medical expenses the Home Government bore, (c) Aden is now outside our military control, and (d) the concentration of a combined hospital system in certain stations where British and Indian are treated in one place. All this should have contributed to a marked reduction in the military medical budget of 1927-28. In place of this, we find in the explanatory note given on this expenditure an increase of just under one lakh

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for 1928-29. Now, all the increases I have referred to have been incurred on the medical personnel which has been brought to India from England for employment with British troops. And in looking through this explanatory note one is tickled to find an item of Rs. 40,000 additional expenditure for the entertainment of a corps of chowkidars to look after the hospitals. Sir, in my 20 years' experience as a military medical officer I have never heard of chowkidars being engaged to look after military sick. This is obviously the duty of the medical officer, night nurses and orderlies; who are to be found in superabundance in British military hospitals. But, perhaps, these chowkidars are being entertained to be on the *qui vive* to wake up the night nurses and orderlies who have fallen asleep to receive the orderly medical officer when going his rounds. I ask, Sir, what is the cause of this excessive expenditure? To answer this I shall give you the composition of the R. A. M. C. as it exists in India to-day. 243 is the total cadre given in 1927-28 although the Army List for October 1927 gives it at 279. There are 2 Generals, 9 Colonels, 37 Lieut.-Colonels, and 168 Majors, i.e., 216 senior officers out of a total cadre of 279, or as the Army Budget says, 243; leaving a balance of about 63 as junior officers. What do these facts mean? They mean that the Department is top-heavy with 75 per cent. of its officers as senior officers—who draw two and three times the salaries of junior officers and only perform the duties of junior officers. This is the reason of this steady increase in cost with a decrease in personnel. I have repeatedly brought this to the notice of the Army Department, and I believe His Excellency, Sir William Birdwood, has suggested certain action. Now there is no use pointing out an error if you cannot suggest some means by which it can be remedied. In my budget speeches last year and the year before, I suggested certain means by which this excessive expenditure could be remedied without any loss in efficiency. I suggested that this excess of Majors should be replaced by the employment, as medical officers of British military hospitals, of British qualified I. M. D. officers whose skilled knowledge and services were being wasted to-day. I understand that His Excellency acted in this matter. I know, for he told me himself, he intended doing so. I do know that orders have been issued to all O. Cs. of British military hospitals directing them to employ I. M. D. British qualified members. I should like to know what action has been taken by them. Had any action been taken on these orders from the D. M. S. in India, at least 40 I. M. D. men would to-day be employed and have replaced an equal number of highly-paid Majors in the R. A. M. C., and thereby effected an annual reduction in this part of the military budget of about 20 to 30 lakhs. Now, this is a really practical measure of economy which I again offer to the Honourable the Finance Member and the Commander-in-Chief and I would suggest that early steps be taken to put it into operation and so not only effect a substantial reduction in the military budget but suitably utilize I. M. D. men. The number of men to-day in the I. M. D. who have obtained British qualifications are about 60. Many of them are still employed in various British military hospitals following the medical officer in his daily rounds using a pencil or a pen as glorified clerks and compounders, but scarcely ever using their stethoscopes. These are the men, whose valuable services, at a less cost—have been neglected for years by the Army Medical Department and who have, in consequence, had to face a yearly increasing budget. I suggest—I am glad His Excellency is in the

House now—I suggest to His Excellency that he should take action in this matter at once.

The other question to which I should like to refer is about certain remarks passed by His Excellency when he delivered his speech. His Excellency said that the Indian Sepoys who went to China were able to send money back to their country in India, a remark which resulted in an undignified retort from the opposite benches. I know of some of the force who went to China who were not able to send any money whatever to India and who, instead asked to be transferred back to India because they did not receive enough money. I refer to members of the I. M. D. who were sent to China with Field hospitals and who were treated very badly. They got no separation allowance, in fact they got practically no allowances in China as were given to other units, Indian and British, with the result that they had not enough to keep two homes going, one for their family in India and the other—their own in China. I reported this officially and I hope the matter has been remedied. If not, I should like it enquired into at once.

The only other point I wish to refer to briefly here, because I wish to develop it more fully when I move my “cut” on the Army Department—if we do get to that item—is regarding the many differences in pay, pensions, accommodation, allowances and promotions, etc., that have been made between the warrant and commissioned officer in the Indian Unattached List and the I. M. D. To those members of the House who are unfamiliar with what is meant by the words “Indian Unattached List” I would say, that it refers to the old S. and T. Corps, now called the I. A. S. Corps, the Indian Army Ordnance Corps, the Military Works Department and other such allied departments. The I. M. D., as most Members in this House know, is recruited almost entirely from members of the community I have the honour to represent in this Honourable House. They are recruited from our best families. Paragraph 132 Regulations for the Army in India shows the I. M. D. is subject to the Army Act and they are admitted into the service for exclusive duty with British troops as British warrant officers, *vide* paragraph 132 (a), British Army Regulations, and, when I use the word “British” I am not having any quarrel with the Finance Department. My quarrel, on this particular point, is with the Secretary, Army Department, in connection with this marked differential treatment and his replies to my questions asked in this House. These members are taken as British warrant officers; not only this but they are given precedence over every other British warrant officer and are entered as such in the Army Lists. The Army Department has always been very careful to retain, as much as possible, the British character in the I. M. D. It spends a large sum of money yearly on the training of these men, something like three lakhs. It used to be more before. On completion of four years’ training they leave college and enter the I. M. D. with a diploma fit for use in the department only but comparatively useless for open professional competition with Civil Assistant Surgeons. They are thus sent out into life seriously handicapped and so they become slaves of the I. M. Department with ambition and initiative killed by an inferior diploma not recognised abroad. A reference to Army Administration Orders, Army Instructions, Field Service Orders and Departmental Orders will prove conclusively that in former times no practical

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differences in treatment existed between the I. M. D. and other departments in the Indian Unattached List, but to-day we find the Army Department has created marked differences between them. This House will be surprised to know that a Staff Sergeant in the Indian Unattached List gets to-day as much pay including allowances and more than a Superior Service Railway Assistant Engineer. He gets Rs. 380 per mensem including all allowances while the Assistant Engineer starts on 350 per mensem. His allowances are of such a varied nature that he seems to have everything done for him and supplied him. His monthly pay is Rs. 250 and his allowances take him to Rs. 380. That is what a comparatively less educated Non-commissioned officer, a Sergeant risen from the ranks with possibly a first class military education certificate gets as compared with a highly educated scientific Assistant Engineer and the starting salary of Rs. 200 (no allowances) given to a fully qualified professional I. M. D. 4th class Military Assistant Surgeon. If you follow the progress of any Non-commissioned officer in the I. U. List and compare his pay with an I. M. D. of equal service, you will find a marked difference in his favour. Marked as were these differences before they have been made more so by A. I. (India) No. 1134 of the 22nd December, 1926, and Nos. 286 and 287 of the 27th December, 1927. The former order gives the I. U. L. higher rates of pension with retrospective effect from the 1st October, 1925; the latter sanctions higher salary and a time scale of promotion but from which benefits the I. M. D. alone have been excluded. To-day a Non-commissioned Officer of the I. U. List gets 180 more than a 4th class Military Assistant Surgeon and a married Major gets Rs. 1,100 per mensem or 450 more than an I. M. D. Major. Last year I tried to obtain an equal retrospective pension date for the I. M. D. and I have to thank His Excellency for the help he gave and I do so here publicly. I know His Excellency has every desire to see justice done to all ranks of the Army, irrespective of what they are, and I do believe that His Excellency did make a serious effort to help the I. M. D. in their revised pensions. The new I. M. D. pension rates are now published. The order says, that "members of the Indian Medical Department will receive their revised pension rates from the 1st October, 1927." Two years after the Indian Unattached List got theirs. Why? These increased salaries of the members of this Unattached List have been so great that it puts me very much in mind of a miniature Tree Commission. These salaries have been so increased as to make it almost incredible of belief and this has all been done within the last few months. But alas! the Indian Medical Department has again been left out and when I asked the Secretary, Army Department, why this had been done, his reply to my question was:

"The Indian Medical Department forms an integral part of the Indian Army. It differs from other departments in that it is directly recruited from the domiciled community."

Now, if that is so, let me inform him that the warrants given to members of the Indian Medical Department and the Indian Unattached List are absolutely the same signed by the same officer and neither of these departments can truly be said to form part of the Indian Army as contrasted with the British Army. Here are the exact words of the warrant. I am reading from a true copy of an I. M. D. warrant.

"You are hereby appointed to be a Warrant Officer of the establishment of His Majesty's Indian Military Forces" * * * Assistant Surgeon 4th class."

I am now reading from an Indian Army Service Corps warrant, and the same words are used,—the rank being that of a Sub-Conductor. These two men join the same force, the Indian military forces, and are recruited in India under exactly similar warrants and though the Indian Medical Department man is senior by order of precedence, he is deprived of the benefits of these new pension rates (except at a date two years later) these enhanced salaries, time scale promotions, concessions to go to the hills, and to get their children educated, etc., and yet we have the Army Department refusing equal retrospective effect to the I. M. D. revised pension rates but sanctioning an additional expenditure of Rs. 40,000 per annum for a corps of chowkidars to watch over their sick in hospitals. Could anything be more grotesque in comparison? I do not grudge these bounties to the I. U. List, but what I do say and say with emphasis is when the Army uses the Indian Medical Department exclusively for the "*British Army*" and "never" for the "*Indian Army*", when it forms part and parcel of the British Army with whom they fought in the Great War—their bodies are to be found buried in many a battlefield on the Continent and elsewhere—when their warrants are alike and they are enlisted in the same military force and when both Departments are recruited and employed in India and have a common Indian domicile why do you do such unjust differences? In the past each time the I. U. L. have been given increased pay or pensions with retrospective effect, a year or a few months later the I. M. D. received theirs but at lower rates. Sir, there can be no denial of the fact that the Indian Medical Department is recruited from a better class than the I. U. L. There can be no denial of the fact that he is a more educated man. There can be no denial of the fact that he has to live up to a much higher status than warrant and commissioned officers of the I. U. List. And yet he is made to suffer this inferiority complex. But the old saying is true—Once a Military Assistant Surgeon, always a Military Assistant Surgeon—a condition unknown to any branch of the civil or army administration. True if an I. M. D. man qualifies in England and is within the prescribed age he stands a chance of being selected for the I. M. S., but that is not a common occurrence and even this is being curtailed or denied him to-day, *vide* I. A. Instructions No. 382, which demands that all I. M. D. men on return from England on study leave must sign a bond for three years service from date of their return to India. Is this just or right? Officers of the I. M. S. and R. A. M. C. who go on study leave are given free passages, whereas I. M. D. men go at their own expense, often leaving their wives in India to slog as nurses, school mistresses and other sorts of work to keep the home fires burning and so help their husbands in England. And yet these very qualified I. M. D. men are used to-day in all British military hospitals as compounders or glorified clerks. What is the real reason for these differences between the I. M. D. and the I. U. L.? I have shown they are alike in every respect. To my mind there can be only one reason and that is colour prejudice. Look at the I. M. D. men who are not so handicapped. They have risen to the highest heights of the profession. We have ex-I. M. D. men as leading lights in the scientific world to-day but who in the I. M. D. would have never been allowed to pass the threshold of their subordinate existence. We have in this House in the Government Benches officers who have risen from the lowest to the highest posts by sheer ability because they were unfettered. But what is the condition to-day of the I. M. D. men? On account of their exclusion from the recent benefits of pay, promotion given to the I. U. L.? They cannot

[Lieut.-Colonel H. A. J. Gidney.]

go to their departmental clubs and messes for they are branded as inferiors by their former equals and colleagues in the I. U. L. (*Cries of "Shame"*). I do not desire to introduce any communal differences into this matter. I would however point out to His Excellency that if the Army intends to continue to recruit the I. M. D. exclusively from the sons, grandsons and great-grandsons of British soldiers who helped to make the British Army in India, then these differences must cease to exist. It cannot be denied that the domiciled community has helped to lay the foundation stones of the mighty edifice of the Government of India as we see it functioning to-day. They have made the Railways, the Telegraphs and the Customs Departments what they are to-day—sources of great revenue to the present Government of India. I beg His Excellency in the interests of fair play and justice, not to continue these differences. If the difference is to continue then I wish to inform His Excellency that the self-respecting members of the I. M. D. I know would welcome an abolition of the service rather than be branded any longer with this inferiority complex. This difference of treatment is not practised in India only. It is practised in England too. Take the Superior Police examination in England. I have the marks of an Anglo-Indian boy with me. He was Captain of his hockey team, the University College, London, played in his varsity football team—a boxer—and was Treasurer of the University Club, a born leader of men, 6 feet high and well educated (London Matriculation). He went up for the police examination. His father is in the I. M. D. He passed third in the compulsory list of subjects. He went up for the "interview and record" part of the examination for which 400 marks out of a total of 1,400 are given. On being questioned by the examiner he admitted he was an Anglo-Indian and his father a promoted subordinate. He was only given 100 marks for this which sent him low down the list.

Mr. President: Order, order.

Lieut.-Colonel H. A. J. Gidney: I shall finish soon, Sir. He therefore failed to secure admission although he passed third in the compulsory subjects. He was a splendid type of boy, a leader of English boys, not Indian policemen. His curse was that he was an Anglo-Indian and his father a subordinate. I could quote other similar instances. There is only one more point which I desire to place before His Excellency. It is this. How far has the formation of an Anglo-Indian unit developed and when may we expect to know the decision of Government.

Mr. President: Order, order.

(Colonel Gidney resumed his seat.)

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Honourable Sir, I formally thank at this stage His Excellency the Commander-in-Chief for the trouble that he has taken in making the statement to-day. Whatever I have to say on this point I shall speak on another occasion. My friends, Mr. Birla and Mr. Chetty, have hauled up the great financial Member of the Government of India here before the Assembly for having manipulated his Budget in a way which they think is not complimentary to him. I leave it to them. I have only to say here as to how the military Budget stands before us and how it strikes us and how it should be from our point of view. My friend, Colonel Gidney, has waxed eloquent and also indignant on the colour prejudice that he says is prevalent in the Army. If

that is so from his point of view, he being an Anglo-Indian himself and also priding himself on being an Anglo-Indian, I wonder what the Indian would say when he looks at the Budget in the way that I think he should look at such Budgets, and I wonder how otherwise an Indian and for the matter of that any man in any country can look at his military budget. I think the policy that ought to dictate the military budget should be, as it is in every other country, the free and full utilization of the native talent and native man-power to their best advantage with the minimum amount of expenditure compatible with the maintenance of the highest efficiency possible. If that is an axiom which is admitted in all countries and which I have no doubt His Excellency will also admit, let us see how the military budget has been manufactured, has been brought before this House and how the Indian looks at it. There is one point which I should give credit for to His Excellency the Commander-in-Chief for his military budget. He has plainly and frankly told us that if the Indians think, or if this House thinks, that the military budget should be reduced and could be reduced, then they are gravely mistaken. He has told us in a plain and frank and straightforward way that it can never be expected to go anywhere below 50 crores, and that they must expect it to be somewhere between 50 and 57 crores. So I can give them credit for the straightforward way in which they have put their points. He has not manipulated his points as the Finance Member is alleged to have done. Now looking to the expenditure on the defence of other countries in other parts of the world and comparing it with the expenditure which we have to meet on the defence of our country in India, what do we find? We find that England has eight times more revenue than India has, and yet England only spends upon her army hardly five per cent. of her revenue. On the entire defence England spends 14 per cent., and only 5 per cent. on the Army.

Mr. Arthur Moore (Bengal: European): What about the Navy?

Dr. B. S. Moonje: On the Navy she spends about 7 per cent., and on the Air Force about 2 per cent. Now India is made to spend as much as 41 per cent. (*An Honourable Member:* "42 per cent".) 42 per cent., and there is no knowing that it might not go beyond 57 crores even. Now look at the other countries. America spends hardly 7½ per cent., France spends 10 per cent.,—and France is always in constant dread of her more powerful neighbour, Germany, and yet India spends nearly 42 per cent. of her revenue on military expenditure.

Mr. B. Das (Orissa Division: Non-Muhammadan): What about Russia?

Dr. B. S. Moonje: I will come to that. Now Italy spends 10 per cent. Then Germany, the nation which fought against the whole world for five or six years, how much does she spend upon her army? Five per cent. Japan, which defeated Russia, spends 10½ per cent. Now Russia is put up before us as a bogey for which India is asked to spend more than 41 per cent. I think there is another country intervening between the Russian frontier and the Indian frontier. There is the Afghan country. Afghanistan is now independent. The Afghan country is preparing for its own defence and there is no need to fear any kind of Russian bogey just at present. So, from that point of view I wonder what His Excellency will have to say when I bring it to his notice that India spends 41 per cent. of her revenue and yet India is merely a dependency, while . . .

Mr. H. G. Cocke: Is the Honourable Member taking the central revenues only or the whole revenue?

Dr. B. S. Moonje: Just as it is given in your budget, and yet India is only a dependency and it is said that for many years to come India will not be prepared to undertake her own defence and therefore India will not be prepared for full responsible Government. Spending 8 per cent., spending 10 per cent., spending 7 per cent., other countries in the world have become first class powers. Now, hardly 75 years ago nobody knew of Japan and to-day spending only 10½ per cent. she is a first class power of which even England has to take note. What answer my British friends, my British rulers, who believe that they have got a trust given to them by God to look after the security of India, what answer have they to give when challenged in the discharge of their trust for India? Now, looking into the deeper details of the military administration, in India there is the British cavalry and Indian cavalry. The British cavalry consists of 5 units of 4,000 and some odd men. 4,000 and some odd of 5 units only, but how much do you spend upon them? Rs. 15 lakhs and odd. Per head the cost comes to Rs. 1,752. Now, look at the Indian cavalry. Indian cavalry consists of 21 units, not 5 units, 21 units of 15,000 and some odd. And how much do you spend for its maintenance? Rs. 8 lakhs and odd. For 4,000 British cavalry men, Rs. 15 lakhs are required and for 15,000 Indian cavalry men, only Rs. 8 lakhs. I should make a present of it to my friend Colonel Gidney because he waxed indignant over the colour prejudice. I am not putting it in colour prejudice at all. I only say that Indian cavalry fights as efficiently as the British cavalry. You have yourselves admitted that Indian cavalry, Indian soldiers, fight as efficiently and skilfully as British soldiers; and yet it does cost only Rs. 8 lakhs, while 4,000 men of the British cavalry cost us as much as Rs. 15 lakhs. Now, about British infantry, there are 45 units of 40,000 odd of British soldiers. Indian Infantry consists of—118½ units of 97,000 and odd. So, 97,000 Indian soldiers in the Indian infantry cost only Rs. 6 lakhs, while 45,000 of British soldiers cost Rs. 16 lakhs. Per head the Indian infantry man costs us only Rs. 767, while the British Infantry man costs us Rs. 1,615 per head. Now, looking at it from my point of view,—if you admit that Indian soldiers fight as efficiently and skilfully as British soldiers, and you have admitted and your best men have admitted it—three or four times the money that you are spending on British soldiers could have been very well spent on Indian soldiers and thrice or four times as many Indian soldiers could have been recruited for the same money. Is it not therefore a heartless waste of money? As regards the officers, certainly there are no officers in India because you have not trained them. Therefore, to start with, we shall require some British officers. But as regards the infantry and the cavalry soldiers, where is the need of British soldiers; why should you require them? They cost nearly 3 or 4 times as much as Indian soldiers.

Now, let us see how things stand as regards British soldiers and Indian soldiers stationed in Aden. One unit of British infantry consisting of 677 men costs us Rs. 13 lakhs, and the cost per head comes to Rs. 2,025. And the Indian Infantry in the same place doing the same kind of work with the same skill and efficiency, as you have yourself admitted, which consists of 846 men, costs us only 7 lakhs of rupees. Is it efficiency? Is it economy? And, above all, is it the way in which the finances of the country even

from the military point of view should be administered? Is it not dissipation of our finances? I have given them the credit for putting in a straight-forward, blunt and frank way as to how they have prepared their Budget, but I ask the House: Is it an economical way of dealing with the finances of a country even from the defence point of view?

Now, I will give the House some other details. Take, for instance, the Royal Horse Artillery. The number of British soldiers is 760 and their charges are Rs. 7,27,410; while the number of Indians (including Indian officers and soldiers and other civilians) is 4,059 and their charges are hardly Rs. 1,20,690. So the British soldier costs us in the Royal Horse Artillery Rs. 975 per head and the Indian soldier costs only Rs. 261 per head. In fact, for Rs. 975 you can have four Indian soldiers instead of one British soldier doing the same amount of work with the same amount of skill and efficiency.

Now, I come to the hospitals. I am only giving you sample figures. There are British military hospitals and Indian military hospitals. The British hospitals serve 60,221 men in all whereas the Indian hospitals serve no less than 194,664. So nearly 2 lakhs of Indians are served by the Indian hospitals and hardly 60,000 Britishers are served by the British hospitals. Now, the amount of money spent on the British hospitals is Rs. 70,40,560, which serve, as I have said, only 60,000 Britishers. (*An Honourable Member*: "They suffer from costly diseases!") Being a medical man myself, I can assure the House that diseases are the same whether they are acquired by a British soldier or an Indian soldier. Now, in the case of Indian hospitals which serve nearly 2 lakhs of men, only Rs. 50 lakhs are deemed to be enough. That is, Rs. 20 lakhs more are spent on British hospitals of not even $\frac{1}{3}$ rd the size of the Indian hospitals.

Now, much has been said to us this morning by His Excellency that he is very kindly looking after the education of the children of the Indian soldiers without making any distinction whatsoever between the British and the Indian soldiers. He said once that he had visited the King George's Military School and the heart of any parent would be gladdened to see the way in which the children are educated and looked after there. As he himself has got children, he ought to think that the children should be looked after without any distinction as between a British child and an Indian child. But unfortunately the Budget tells a different tale. The Budget shows that there are 520 British boys who are receiving general education in what is called the Lawrence Royal Military School and the amount spent on them is Rs. 3,76,520. Three lakhs for 500 boys—British boys—and for 4 p.m. Indian boys, 574 Indian boys, only Rs. 76,000. Rs. 76,000 are enough. (*An Honourable Member*: "More than enough.") Yes, more than enough if it pleases you, for educating how many boys? 574 Indian boys. But perhaps it is thought that three lakhs and 76 thousand rupees are not enough, if efficiency is to be looked to—for how many boys? 500 British boys.

Now there is another set of schools where both soldiers and their children are educated, and that set is called Garrison Regimental and Detachment Schools separately for British and Indian troops. In these schools the children also of British soldiers receive education, but there is no mention of the education of the children of Indian soldiers. These schools for the British troops cost us 11 lakhs and 56 thousand rupees, and for Indian

[Dr. B. S. Moonje:] troops 1 lakh and 10 thousand and four hundred and fifty rupees. 1 lakh and 10 thousand for Indian troops, and 11 lakhs and 56 thousand for British troops. (An Honourable Member: How moderate!)

Now look at the Staff College at Quetta for senior British officers. We have been told that India is not yet fit for an Indian Sandhurst, or a military college. India is not fit perhaps because India cannot afford the money. I don't know if there is any other meaning behind it, because they have not said that India is not fit intellectually or in its fighting capacity for being admitted into a military college; so the question only will be that there is not enough finance in India to have a military college. Now there is a college called the Staff College at Quetta, and the annual output of students is 30, and for these 30 students 7 lakhs and 30 thousand one hundred and twenty rupees are being spent. Per head it comes to Rs. 24,337. That is the way the finances of India are being squandered. Perhaps the Finance Member may not have been candid enough to admit how he has manipulated the Budget. But His Excellency the Commander-in-Chief is a military man, and military men are always blunt and candid. He has bluntly told you how the military budget has been manufactured or made up.

Now about the policy, the military policy of India.

Mr. President: Order, order.

Dr. B. S. Moonje: One minute, Sir, only one minute. I shall sum up the whole military policy in one minute, Sir (Loud Cheers), by quoting the Statesman's Year Book for 1927 which says:

"The Regular Army (of England), whether at home or abroad, except India, is paid for by the Imperial Exchequer"—

—India alone has to pay when England's Army comes to India, while England pays for its Army which it sends to the Colonies and the Dominions—

"(although certain Dominions pay contributions towards its upkeep); India pays a contribution towards the cost of the (British) troops at home, owing to these serving as a depôt for the regular troops in India."

We have thus to pay both for the actual service of the British troops in India as well as for those troops being trained and brought up in England, besides I believe also a separate contribution as a premium for the insurance of safety which England guarantees to India from invasion from the seas.

India's finances, from the military point of view, are taxed both ways. That is due to the military policy under which the Budget is framed. The candle of India's finances is burnt thus at both ends. It cannot therefore honestly congratulate the Government on the military budget that has been presented to us.

Khan Bahadur Mian Abdul Aziz (Punjab: Nominated Official): Sir, the discussion that has taken place in this House these two days regarding the Budget before us has impressed me with nothing so much as of the truth of the old old saying that some people are never so happy as when they are thoroughly miserable. One Honourable Member of the House tried to make a very careful calculation and he tortured a certain

sum of rupees into pounds sterling and then compared it with another sum of rupees and found that the taller rupees were smaller and the smaller rupees taller and he was very angry. But why did he do it at all? If he was not content with the appreciated rupee—brighter because it has appreciated—why did he go after that yellow metal? Did he do it because it goes well with the jaundiced eye? That was yesterday; and because the Budget was prosperous a persistent effort was made to manufacture gloom out of sunshine. This morning Sir Purshotamdas Thakurdas brought in his dictum about the shattering of the purchasing power of the tax-payer in India.

Mr. B. Das: Did you follow it?

Khan Bahadur Mian Abdul Aziz: It is unnecessary for me to say that so far as the district is concerned—and there is no part of British India that is not in a district—(Hear, hear), so far as the tax-payer in the district is concerned, he does spend more every year on education. You can look at any University as a centre or any district as a unit; and you will find more people going in for education; you will find more of them going in for higher education in spite of the fact that education is getting more costly; you find more schools springing up; you will find more hospitals springing up. Now, is it implied that there is somewhere outside India a philanthropic conspiracy to help us and while we are not spending the money some one else is spending it for us? Certainly not. It is our money and the reason why there is more expenditure now than in some previous years, say 1923, is because we have more money and we spend more money. There is no other explanation.

Sir Purshotamdas Thakurdas referred to the fact that the Honourable the Finance Member did not in any previous year draw the attention of the House to the increased liability for which this country is responsible in the matter of Post Office cash certificates. The very first thing that he forgot was that while he was on the one hand talking of the shattering of the purchasing power of the rupee if he had only looked at the figures he would have found that from 1923 onwards every year these same people whose purchasing power he says is shattered—what have they done? They had put in at the end of the 31st March 1923 Rs. 3.13 crores; in 1924 it rose to Rs. 8.42 crores; in 1925 it rose to 13.12 crores and in 1926 to 20.96 crores; in 1927, on the 31st March it was 26.68 crores and now it has reached 30.86 crores. Now, Sir, Mr. Jamnadas Mehta resents this because it means that this money is not going to him; the poor tax-payer is trying to keep some of his earnings to himself and it cuts the throat of the professional money-lender with his 18 to 24 per cent. per annum interest.

Sir Purshotamdas Thakurdas: Mentality characteristic of the district officer in India.

Khan Bahadur Mian Abdul Aziz: Sir, I was told that this thing had been concealed. I was coming to the point which my friend Sir Purshotamdas Thakurdas made. He said this House never knew it, that the country never knew it, and it was a surprise sprung upon us. May I, Sir, refer to a question asked by an Honourable Member of this House in 1925 in reply to which the Honourable the Finance Member gave the information required about cash certificates? That was on 23rd February 1925. It is question No. 138 and it was put by Mr. Cocke who is here in the House, and the Honourable the Finance Member stated very clearly that payments

[Khan Bahadur Mian Abdul Aziz.]

of principal in each year were these and that balance of principal outstanding at the close of each year was so much and then he went on to explain—I will not weary the House by quoting those figures

b. Lala Lajpat Rai: Read those figures please.

Sir Purshotamdas Thakurdas: Do, please read those figures. Read the whole question and answer.

Khan Bahadur Mian Abdul Aziz: I will read only what is necessary to refute the misstatement made by the Honourable Member

Sir Purshotamdas Thakurdas: And hold back what may not support you?

Khan Bahadur Mian Abdul Aziz: The Finance Member said that it is not easy to calculate the liability outstanding at the end of each year if it is taken to mean the amount that the Government will have to provide if all cash certificates then with the public are cashed at once, while it is fairly easy to calculate the maximum liability at any convenient date on the assumption that all cash certificates then in the hands of the public would be retained till maturity. On that basis the liability at the end of December 1924 can be taken as about 3·19 lakhs, that is to say, 3 crores 19 lakhs, the capital outstanding being roughly 12 crores. Now, Sir, in his speech he fully explained that this accrued but undischarged liability for bonus will stand a sum of about 6 crores on the 1st of October, 1928. The Honourable Member who used some very undesirable terms forgot the information that had been given to the House and which probably had not been supplied to him, and also conveniently forgot the practice in other countries, though on other occasions he remembers all that when it suits him. Now, Sir, in England, there is at the present moment a liability of more than a hundred million sterling for which in the annual Budget provision is made only for the payment of that amount of bonus which is likely to accrue. For the remainder a sinking fund is provided. That is what the Honourable the Finance Member is trying to do for India and that is how is trying to serve India but, Sir, the tax-payer is being made to believe in something different by being told that all is not well. But all is not right with some of our pseudo-financiers

(At this stage the Honourable Sir Basil Blackett rose to speak.)

Mr. President (to Khan Bahadur Mian Abdul Aziz): Has the Honourable Member finished?

Khan Bahadur Mian Abdul Aziz: No, Sir.

Sir Purshotamdas Thakurdas: If Sir Basil Blackett begins his speech, Mian Abdul Aziz will finish.

Khan Bahadur Mian Abdul Aziz: Then again, it was said that the Finance Member used the public funds at the disposal of the Government of India for other purposes, though they nominally form part of the railway depreciation fund . . . (An Honourable Member: "Nominally?") Nominally in the sense that the Railways can always claim them, but those funds do form part of the general balance at the disposal of the Government of India.

Sir Purshotamdas Thakurdas: Where does the reduction of debt come in?

Khan Bahadur Mian Abdul Aziz: The Railways can use them, though they form part of the funds at the disposal of the Government of India. But my point is this, that if the Government of India use these funds as it appears to them necessary, where is the necessity for our questioning their action? The object of using these funds is simply to avoid the incurring of further debts. Everyone knows who has had anything to do with the Treasury that the wisest course is to run these treasuries with the minimum cash balance that you can, otherwise the amount of the extra cash is simply wasted. It brings no interest. Anyone knows that. If the Finance Member has used some of his cash balance and has used it in the service of the country, he has saved us from paying needless interest and he should be congratulated and not criticised; so that the real issue is concealed from the people who have not gone into the details of this question.

I have only one more word to say, Sir. Mr. Shanmukham Chetty talked about the debt question, and he said there is only one way of redeeming unproductive debt. I will take his own instance. What happens if an unproductive debt has to be wiped off, is as follows. Suppose the Government borrows 60 lakhs, 50 lakhs on which a commercial department can pay interest, and 10 lakhs on which the commercial department cannot pay interest. On that 10 lakhs the tax-payer has to pay interest. If the Finance Member or if the Department has so arranged things that in course of time the Department can pay interest on another 5 lakhs, then what happens is that 55 lakhs become productive and only 5 lakhs remain unproductive. The tax-payer is relieved of that extra burden. That is if he cares to understand the whole thing.

Before I close, Sir, I should like to tell him that a Swarajist and a very much better Swarajist than himself expressed his opinion quite recently in print about this point and I shall close with a quotation of those remarks :

"On two facts Sir Basil Blackett may congratulate himself. He has effected a clean cut between the finances of the central and provincial governments contemplated in the Reform Act; the provincial contributions have been permanently abolished. That is to say, he has done all that was possible within the four corners of the Meston Settlement. The other measure for which he may claim credit is his public debt policy. The unproductive debt has been steadily reduced, while an endeavour has been made with considerable success to avoid borrowing in external markets. Sir Basil reckons that if his methods are continued, our entire unproductive debt will vanish in twelve years. This aspect or that of his debt redemption and loans policy may be open to question; some may consider that he allotted too much to debt redemption, while others may cavil at his choice of the market and the terms he offered for certain of his loans. Making all allowance for this, it cannot be denied that his public debt policy has been characterised by a devotion to India's interests and a degree of shrewdness and wisdom which mark Sir. Basil with the stamp of a far-seeing financier."

The Honourable Sir Basil Blackett: Sir, I must begin my speech in reply with thanks to those Members who have been kind enough to say kind things about me and perhaps I may particularly express what I really feel, my gratitude to the Members of the Congress Party for attending both to hear my Budget introduced and to take part in this budget discussion. I think I may particularly congratulate their Leaders on their clever interpretation of the Madras Congress resolution. It will have been observed that several of the speakers on the Congress side started their speech by the statement that they cannot congratulate the Honourable the Finance Member on his Budget. Unless I am greatly misinformed, the reason is that the Leaders of the Congress Party had decided that the proper interpretation of the Madras Congress resolution

[Sir Basil Blackett.]

that they should not take part in this discussion was that Members of the Congress Party could take part in it provided they said nothing complimentary to the Government. I am quite glad to congratulate a good many Members of the Congress Party on their success in combining the suggestion that they would be willing to compliment me with strict observance of discipline. There are certainly some Members of the Party who may be acquitted of any attempt to be courteous. (Laughter.) I will deal with them later.

The course of this debate has been one to which we have become accustomed in this House. By far the most important part of the debate has been the announcement made by my friend His Excellency the Commander-in-Chief on the subject of the increased Indianisation of the Indian Army. That announcement is probably one of the most important single announcements that has been made in India in pursuance of the policy laid down in August, 1917. It marks the steady advance of His Majesty's Government and of the Government of India towards the goal to which they have determinedly set their gaze. And it has been received in characteristic fashion. The Leader of the Congress Party, Pandit Motilal Nehru, first of all announced that whatever the announcement had been, he was going to curse in regard to it. He then proceeded to do his best to find fault with the announcement. He showed that, while he was willing to put complete faith in anything that was told him in Moscow, he was equally prepared to invent out of his own imagination what I can only describe as a gross slander on his own fellow-countrymen, the Indian soldiers. Mr. Jinnah received it in rather a different fashion. He has been telling us on and off for a good many years that he has no faith of any sort in the British Government or in the Government of India. He told us specifically three weeks ago that he had no faith whatever in His Majesty's Government and the British. And to-day the announcement has shattered his faith. It has shattered his faith.

Mr. R. K. Shanmukham Chetty: He had faith when he joined the Committee.

The Honourable Sir Basil Blackett: I will deal with one other point raised on non-financial questions. It was raised by Pandit Motilal Nehru. He was evidently rather pained by the obviously sympathetic reception which the Statutory Commission has received in Madras (*An Honourable Member*: "Has it"?) and he tried quite naturally to minimise it. There has been put into my hands since he spoke a telegram addressed to a non-official Member of this Assembly by a prominent member of the Statutory Commission which I should like to read in order to encourage Pandit Motilal to another attempt.

Moulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): May I know, Sir, to whom it is addressed?

The Honourable Sir Basil Blackett: I will read it:

"Our reception in Madras Presidency really cordial and spontaneous. Everywhere delegations met us representing different communities and interests and also local bodies. Most striking gathering of 20,000 to 30,000 kallars yesterday morning at Usalampatti. Demonstrations against us ridiculously small in numbers and obviously organised and subsidised. Flags and placards of one standard and evidently supplied from central depot."

I will now turn to the Budget.

Mr. N. M. Joshi (Nominated: Labour Interests): May I know, whether the telegram came from a journalist?

The Honourable Sir Basil Blackett: It is from a member of the Statutory Commission. (*An Honourable Member:* "To whom was it addressed"?).

I will now turn to the Budget. I am afraid it will be impossible for me to cover all the subjects which were raised in the course of the discussion. I should like to begin by congratulating Pandit Hirday Nath Kunzru on his thoughtful speech. I am sorry that he should think that there was any attempt to conceal the increase in the Air Force. A year ago, I mentioned specifically the expansion of the Air Force in my budget speech, and if it was not followed up and if more details were not asked for, I can only surmise that Honourable Members were so much interested in the ratio that they forgot the Air Force. But there was a definite statement in my speech. Pandit Hirday Nath Kunzru also referred to our income-tax estimates. I share with him the disappointment that we have not been able successfully to estimate in advance hitherto the yield of our income-tax. Last year was a particular disappointment arising from a source which we have managed to trace to its issue and we are not liable to make the same mistake as was made last year. Obviously we have to try and find out in advance something in regard to the probable profits of the bigger industrial concerns or the industrial concerns generally in the course of the current year in order to get an estimate of what income-tax is likely to yield us next year. I feel fairly confident that the basis of our estimate this year is a sounder one than it has been hitherto and that our figure of Rs. 17 crores for the coming year is reasonably likely to be realised. But I share with Pandit Hirday Nath Kunzru the disappointment that we have hitherto not been entirely successful in our estimates of income-tax. Mr. Birla, Sir Purshotamdas Thakurdas and Mr. Chetty seem to have put their heads together to try and invent a particular line of attack on this year's Budget. The figures in regard to our debt are figures which are comparatively recent. They date from some time during my period as Finance Member. Previously the debt of India was shown simply as, broadly speaking, market debt. I set to work to get into the statement of our debt all the debt that the Government owed in various forms, including, for example, savings bank, cash certificates, provident funds, and so on, and the statement, as it is now given, which has been the same for the last three years, shows absolutely the total of the debt of the Government of India in any shape or form. It is quite true, and this is a point that I drew attention to, not in public, but in the Finance Department some considerable time ago, that the statement of our debt does not include liabilities to ourselves because that is not debt. It cannot be included as part of our debt and there is a note of mine somewhere in the Finance Department saying that when the Government of India Act comes to be revised, provision ought to be made so that we shall be able in future to show as debt liabilities which are as separate as the depreciation fund and reserve fund of the Railways are from the general finances of the country. They are not debt at present because the Government of India owe them to themselves and you cannot call that debt. The three Honourable Members who drew attention to this seemed to think that they had made a great discovery, but exactly the same thing has been the position for the last three or four years in the statements that have been made

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in the Budget and so why they should think that something extraordinary has turned up I do not know. Mr. Birla, I think, would on second thoughts like to withdraw the language that he used. It is not I think quite right that when statements are put before this House they should be characterised as untrue or false by a gentleman who had just previously stated that he was unable to understand them. Nevertheless, the statement of our debt does show absolutely the exact position, that is, the total of the debt of the Government of India,—the total that is productive and the total that is unproductive. I could not follow Mr. Chetty at all in his argument that you had to buy unproductive debt in the market in order to pay it off. Why you should buy unproductive debt in the market and then issue some other debt of apparently the same denomination and call it productive because it was issued for our productive purposes, I could not follow. Obviously our unproductive debt consists at any given moment of that part of our total debt which is not represented by assets which are earning for the tax-payer a sum equal to or greater than the amount of interest which the tax-payer has to pay on the debt. It may interest the House to have some analysis of our present debt and to have figures in greater detail than has been given so far. Our total debt on the 31st March, 1928, is estimated to be as follows:

	Crores.	Lakhs.
Invested in Railways	666	13
Invested in other productive forms	20	41
Advance to the provinces	126	34
Total productive debt	812	88

Our total debt is 991 crores, 61 lakhs, and this leaves a non-productive debt of 178 crores and 73 lakhs. That is to say, 178 crores and 73 lakhs is the total amount of the debt on which the tax-payer has to find the interest out of taxation. On the total of the rest of the debt the interest is found out of the productive enterprises in which the money is invested. It is in consequence of the steady growth of our productive debt and the steady reduction of our unproductive debt and the funding of large amounts of debt carrying 6 per cent. free of tax and the substitution for such debt of debt carrying under 5 per cent. that the burden of the interest charge on the tax-payer has been coming down. Either in my speech or in the Financial Secretary's Memorandum exact figures will be found of the charge which is to be met by the tax-payer out of his own pocket, out of taxation year by year, and that shows a very steady reduction. That I may inform Mr. Chetty includes the interest that we pay to the Railway Board for interest on the depreciation fund, so that the figures of the interest actually paid show the exact position of the tax-payer year by year. I hope that after this explanation some of the charges that have been made will be withdrawn. I would like to point out to Sir Purshotamdas Thakurdas that he seemed to be under the impression that a large proportion of the reduction in the unproductive debt of which I spoke was due to the fixing of the rupee at 1s. 6d. Apart from the fact that the rupee was changed from 2s. to 1s. 6d., a point which I used to dwell on a year ago, I would draw his attention to the fact that the figures in the speech take the sterling debt of 1923 for purposes of comparison at 1s. 6d. just in the same way as they take the sterling debt of 1928. Therefore, there is no question of the reduction of unproductive debt being due to an alteration in the ratio to 1s. 6d.

Mr. Jamnadas Mehta did not disappoint me. I have come to feel quite uncertain of the wisdom of anything done by the Finance Department or anything said by the Finance Member until it has received the hall mark of a castigation from Mr. Jamnadas Mehta. I do not suppose that he will desire me to try and follow him in the maze of figures chosen carefully in accordance with the thesis which suited him without reference to any real meaning in the figures with which he tried to invent a case against me. I was interested, however, to observe that when he had succeeded in inventing a case against me he discovered that I had not increased taxation at all during my period of office. That I think was the net result of his arguments. I believe that on the whole I have slightly decreased it, but not very greatly, and it has been a matter of regret to me that during my term of office the opportunity for any large reduction of taxation has not arisen. That was because we had a prior obligation to the provinces. It is true in a sense that the remission of the provincial contributions to the tune of 9 crores and 83 lakhs, or 9 crores and 20 lakhs if you leave out Bengal, is in effect a reduction of taxation, because either the provinces in order to spend what they did would have had to raise that taxation by other means, i.e., that extra amount by taxation of the provincial tax-payer, or to forgo the expenditure so that it is in effect a reduction of taxation.

Several speakers have referred to the Meston Settlement. We have now got rid of the provincial contributions and the time for some modification of the Meston Settlement is obviously approaching. Those Honourable Members who are keen on it, especially on the other side, will no doubt take the opportunity to give evidence before the Statutory Commission on the subject. (Laughter.) But even if they do not, I am inclined to think that the Statutory Commission will have their attention drawn to the Meston Settlement. The subject really raises the whole problem of federal finance. It is obviously necessary that the Central Government should be in possession of sources of revenue which are adequate for all purposes, because it is on the Central Government that the burden of an emergency must always fall. I think that it is most desirable for that reason alone that some reduction of central taxation should be possible within a comparatively short time in order that the Central Government may have a margin of taxable capacity as against emergencies. On the other hand, there is no doubt that the working of the provision giving the provinces a share of income-tax has not been satisfactory. It has never really served its object. Certain proposals were framed by the Finance Department and were discussed with the Provincial Governments and in particular at the last Finance Members' Conference. They involved a sacrifice of something between half a crore and a crore of the Central Government's revenues, but they were not considered by some of the Provincial Governments as giving them as much as they wanted, and it was felt that with the approach of the time when the whole question must be taken up by the Statutory Commission—and I may add, in view of the want of cash in the pocket at the moment of the Central Government—it was felt that it was desirable to leave the subject for consideration by the Statutory Commission. In the same connection other Honourable Members have spoken about the export duty on jute. Now I would put it quite simply. Either the export duty on jute is a bad tax which ought to be abolished at once because it falls on the agriculturist, or it is paid,

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not by the agriculturist but by the importing user of jute, that is to say, it is either a bad tax, or it does not fall on Bengal.

An Honourable Member: Is there any other monopoly commodity?

The Honourable Sir Basil Blackett: I do not suppose the Honourable Member could have followed my logic. Perhaps if he reads the speech later, he will be able to think about it. Quite obviously, then, if that duty is falling on the agriculturist at the present moment, what ought to be done is not to hand it over to the Provincial Government but to abolish it or at least to reduce it if some part of it is falling on the Bengal tax-payer. If it is not falling on the Bengal tax-payer, if it is in fact being paid by our customers over-seas, then so long as the monopoly conditions which enable that to happen remain, it may be a good tax; but it is obviously desirable that it should be in the hands of the Central Government, so that action may be taken to reduce it the moment there may be any sign of a change in the monopolistic character of the article on which it is imposed. But you should not expose the Provincial Government to the temptation of raising revenue by imposing export duties on all and sundry articles at the expense of its own agriculturists, nor to the difficulty of having to deal with the jute duty or an export duty of any kind at a moment when world conditions may have made it imperatively desirable in the economic interests of everybody that the duty should be abolished. So far as the jute duty is concerned, or any other export duty, I think therefore that Honourable Members will be very wise to oppose very stoutly any suggestion for provincialising them. I have full sympathy with the desire of the provinces to see their revenue increased and made more elastic. I am in some hopes that some results in this direction may be secured when the Statutory Commission has reported—some arrangement that might hand over some of the non-judicial stamps to the Central Government and give in their place a really effective share of the income-tax.

I do not think that I need enter into any of the other points that were raised. My friend Sir Victor Sassoon had some complaints to make about the collection of income-tax. I am beginning to wonder quite seriously whether the Income-tax Department is not becoming almost effective. It has had a long struggle and I am sure there is still room for improvement. I do think that this House should realise that the Income-tax Department has a very difficult duty to perform. It is performing it to the best of its ability in unpopular circumstances. There are great possibilities of temptation. It has built up a very good record and I would like to add that it is almost entirely Indian. I do hope Honourable Members will think twice before making attacks, which, in the nature of income-tax, come very naturally upon the agents of the Government of India who are engaged in collecting that unpopular tax.

Sir, I do not know whether you remember a debate on the Budget about three years ago when sitting opposite me in old Delhi, you became very vociferous about the concealed crores in my pockets and I suggested that I should be afraid to meet you on a dark night, if you really believed the money was there. A good deal has been said which shows that Honourable Members still think that I have got large numbers of crores concealed in my pockets. I assure Honourable Members that that is not so. I leave

them to find the full facts in our published statements. For those who try to study them, our Finance and Revenue Account and our Financial Statement are more illuminating or are becoming more illuminating year by year and are a great deal more illuminating than they were at the beginning of the time when the Legislative Assembly came to deal with the Budget. I believe that it has been one of the effects of the Legislative Assembly's criticism and of its power to criticise and vote on Demands for Grants, that very considerable improvement has been arrived at in the whole machinery for Parliamentary control of the Budget and other finance matters of the Government of India. And it is for that reason that I am going to permit myself one last remark. What has been happening in the course of this last Session is particularly depressing to a man like myself who has been in the Assembly now going back to a date very near its commencement. During the whole of that time the principal interest of many of us, the interest really that was the driving power behind what we were doing, has been the desire to make the Legislative Assembly more and more into a Parliament. And my difficulty to-day is that I feel that at every turn this Assembly is to all appearance trying to commit political suicide. Every opportunity that is given it of showing that it has a responsibility and can use it, it takes to prove that it can be irresponsible. That does not need proving. But I do hope that, in spite of the atmosphere of to-day, Honourable Members will realise that many of us have been and are very keen on seeing that the Assembly, particularly through its control of finance, may more and more approximate to, until it finally reaches the position of, a real Parliament. (Applause.)

The Assembly then adjourned till Eleven of the Clock on Saturday, the 10th March, 1928.

LEGISLATIVE ASSEMBLY.

Saturday, 10th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

ALLOWANCES OF MILITARY ASSISTANT SURGEONS WHO WERE SENT TO CHINA ON DUTY WITH THE SHANGHAI DEFENCE FORCE.

383. ***Lieut.-Colonel H. A. J. Gidney:** Will Government be pleased to state if it is a fact:

(i) that Military Assistant Surgeons of the Indian Medical Department who were sent to China on duty with the Shanghai Force were paid no other allowance than \$9 per month as Colonial Allowance?

(ii) that these Assistant Surgeons had to serve in places where their families could not join them? If so, were they paid separation allowance as was drawn by other warrant and commissioned officers? If not, why not?

(iii) that six of these Assistant Surgeons had to live for nearly one month in one room measuring 25' x 15' and, later, two in one room measuring 15' x 10', and yet, they were not allowed any compensation in lieu of quarters as was paid to other warrant and commissioned officers who had far better accommodation?

(iv) that Sub-Assistant Surgeons attached to the Indian Military Hospital in Hongkong were allowed 50 per cent. of their salaries as Hongkong Allowance in view of the high cost of living in that city? Did Government consider this in the case of Military Assistant Surgeons and allow them some such allowance to enable them to meet the high cost of living? If not, will Government give their reasons for such differential treatment?

(v) that the application of a few married Military Assistant Surgeons for repatriation to India, solely on account of the high cost of living and the fear of getting into debt having had to maintain two homes one in India and another in China, was not even taken notice of by the authorities concerned? If so, why?

Mr. G. M. Young: (i) No, Sir. In addition to Colonial Allowance, they drew full rates of charge pay or sub-charge allowance for foreign service in respect of the appointments held by them, and were also given the concession of free postage.

(ii) The answer to the first part is in the affirmative, but I would point out that these Assistant Surgeons were in a similar position to corresponding ranks of other units in the Shanghai Defence Force. Separation allowance was not paid as this was not admissible under regulations. The grant of a marriage allowance or some such other concession is at present under consideration.

(iii) The Government of India have no information on the subject, but I am informed that compensation in lieu of quarters was granted to certain Assistant Surgeons serving with No. 3, British General Hospital, Hong Kong.

(iv) There are two appointments held by Sub-Assistant Surgeons at Hong Kong who receive special rates of pay, and the question of extending that special rate of pay to others serving in the same locality is under consideration. I would, however, remind the Honourable Member that the pay of Assistant Surgeons is in no way connected with or regulated by the emoluments of Sub-Assistant Surgeons.

(v) *The Government of India have no information on the subject.* Assistant Surgeons like other ranks are liable to be moved according to the exigencies of the service.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member kindly tell us, considering that marriage and separation allowances for the I. M. D. have already been under consideration for so many years, how much longer the Government intends to consider the matter? It has been considered for so many years that it surely must be forgotten by now?

Mr. G. M. Young: Sir, I must ask for notice of that question. I will send a copy of this question and answer to the authorities concerned. I have given the Honourable Member all the information that I have in my possession.

Lieut.-Colonel H. A. J. Gidney: I thank you, Sir.

TRAVELLING TICKET INSPECTORS AND CREWMEN ON THE EAST INDIAN RAILWAY.

384. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to furnish this House with:

(i) the number of travelling ticket inspectors employed on the East Indian Railway prior to 1925;

(ii) the number of travelling ticket inspectors now employed on the East Indian Railway; and

(iii) the present strength of the new crew system?

(b) Is it a fact that, in spite of the introduction of these new preventive measures and the reduction of fares, and season tickets, every travelling ticket inspector is required to collect a certain minimum amount of excess fares to entitle him to his annual increment?

(c) Will Government be pleased to state the minimum amount of excess fares required to be collected by (i) a crewman and (ii) a travelling ticket inspector, to entitle them, respectively, to their annual increments? If there is a difference in the amounts demanded of these two sets of employees, will Government please state why?

Mr. A. A. L. Parsons: The information required by the Honourable Member has been called for and will be furnished in due course.

PREVENTION OF EXTORTION BY TRAVELLING TICKET INSPECTORS AND CREWMEN ON THE EAST INDIAN RAILWAY.

385. ***Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to state what steps they have taken to prevent the travelling ticket inspectors and crewmen from resorting to extortion from ignorant passengers in their desire to collect the stipulated amount of excess fares, and, to ensure that earnings shown by these subordinates are genuine excess fares?

(b) Has the attention of the Government been drawn to the correspondence that has passed between the Agent of the East Indian Railway and myself on this subject?

(c) Will Government be pleased to state what steps they have taken to supervise these subordinates? What is the principle followed in considering the increments of the supervising staff of this Department?

Mr. A. A. L. Parsons: I am obtaining from the East Indian Railway administration information which will enable me to reply to part (c) of the Honourable Member's question. I have not seen the correspondence which he has had with the Agent of the Railway on the subject, though I believe he gave the House the benefit of quotations from it in a recent debate. I am not aware that travelling ticket inspectors and crewmen are required to collect any stipulated amount of excess fare, and must ask the Honourable Member to give me specific instances justifying the charge of extortion which he makes against these servants of the Railway as a whole in the first part of his question.

Lieut.-Colonel H. A. J. Gidney: In response to the reply given by the Honourable Member which I did not hear in full, I am prepared to give him a copy of a letter I received from the Agent of the East Indian Railway in reply to a statement made by me based on the question I have asked to-day.

RULES OF THE EAST INDIAN RAILWAY GUARANTEE FUND.

386. ***Lieut.-Colonel H. A. J. Gidney:** With reference to the Honourable Member's replies to my questions 1065 to 1070 of the 21st March, 1927, on the Guarantee Fund, East Indian Railway, will Government please furnish me with a copy of the Rules of the Guarantee Fund of the East Indian Railway Company and state:

- (a) when the Fund came into existence and the authority for its inauguration, and
- (b) whether before inauguration it had the sanction of the Governor General for the time being of India, and approved under his hand, or the hand of his Secretary given previous to the same being acted upon by the said East Indian Railway Company before it was State-managed in 1925?

Mr. A. A. L. Parsons: I am sending a copy of the Rules to the Honourable Member. The Fund came into existence on the 1st January, 1880 and the Rules were framed by the Board of Directors of the East Indian Railway Company with the approval of His Majesty's Secretary of State for India.

EDUCATIONAL GRANT TO THE CHILDREN OF THE EMPLOYEES OF THE EAST INDIAN RAILWAY WHO CANNOT BE ADMITTED INTO THE OAKGROVE SCHOOL, MUSSOORIE.

387. *Lieut.-Colonel **H. A. J. Sidney**: (a) Will Government please state whether the Oakgrove School, Jharapani, near Mussoorie, is under the dual control of the North Western and the East Indian Railways?

(b) Will the Honourable Member please inform this House of the maximum number of boys and girls this school can accommodate?

(c) Is it a fact that the accommodation in this school is not adequate to cater for the educational needs of all the children of the European and Anglo-Indian employees on these two Railways?

(d) Will Government please state if it is a fact that the North Western Railway allows an educational grant to those children of its employees who do not get accommodation in the Oakgrove School which enables them to send their children to other recognised European hill schools?

(e) Will Government please state whether such a grant is allowed to the children of its employees on the East Indian Railway? If not, why not?

(f) Are Government aware of the fact that there are hundreds of children of European and Anglo-Indian employees of the East Indian Railway who for want of accommodation in the Oakgrove School are being educated at other European schools?

(g) Are Government prepared to allow an educational grant to the children of the employees on the East Indian Railway who cannot get accommodation in the Oakgrove School as is given to employees of the North Western Railway?

Mr. A. A. L. Parsons: (a) The Oakgrove School is under the East Indian Railway administration. The North Western Railway is represented on the governing body.

(b) Government do not know the exact figures, but there were 483 boys and girls on the rolls on the 31st March, 1926.

(c) Yes.

(d) The North Western Railway gives assistance to its employees towards sending their children to approved schools including the Oakgrove School.

For a general account of the methods by which assistance is given, I would refer the Honourable Member to Chapter III of the "Report on the Expenditure of the Railways on the Education of the Children of Employees in 1925-26", a copy of which is in the Library.

(e) The East Indian Railway do not give assistance in this form to the staff of the old East Indian Railway Company because they have provided a school at Oakgrove. The staff of the late Oudh and Rohilkhand Railway get assistance in this way.

(f) This has not been brought to the notice of the Railway Board by the East Indian Railway administration.

(g) As the Honourable Member is aware, the whole question of the assistance which should be given towards the education of the children of railway employees is under consideration. Government are not in a position at present to say what action will be taken.

Lieut.-Colonel H. A. J. Gidney: Will the Honourable Member state whether the East Indian Railway will be prepared to consider the grant of an Educational grant to children who cannot be accommodated in Oakgrove School, considering the fact that there are thousands of children in the East Indian Railway and the school can only accommodate 450, the balance having to be sent to other schools at enormous cost to the parents.

Mr. A. A. L. Parsons: The Railway Board will not be prepared to consider that, apart from the consideration of the general question of the assistance to be given in the future to the employees of Railways for the education of their children.

Pandit Hirday Nath Kunzru: May I ask whether Government are aware that it has been stated in the Jones Report that out of the boys and girls who are in the Oakgrove School nearly 212 come from places which provide nearly as good educational facilities as Oakgrove.

Mr. A. A. L. Parsons: I have read Mr. Jones' report, Sir.

INTRODUCTION OF REFORMS IN THE NORTH WEST FRONTIER PROVINCE.

388. ***Sir Hari Singh Gour:** (a) Has the attention of Government been drawn to a paragraph appearing in the news columns of the *Pioneer* of 27th February, 1928, to the effect that it is strongly rumoured in Peshawar that Government have decided to immediately introduce constitutional reforms in the North-West Frontier Province?

(b) Is it proposed that there will be a Legislative Council of not less than 30 of whom not less than 16 shall be elected, and that Sir Abdul Qaiyum is likely to be the first Minister?

(c) If so, will the Government be pleased to make a complete statement on the subject?

The Honourable Mr. J. Crerar: (a) The statement in the *Pioneer* of February 27th has been brought to the notice of Government.

(b) and (c). The attention of the Honourable Member is drawn to the reply given by the Honourable Sir Alexander Muddiman to Mr. Jinnah's question on the subject which was answered in the Legislative Assembly on the 16th February, 1927, at the end of the starred questions which were down for that day. I have no further statement to make.

Nawab Sir Sahibzada Abdul Qaiyum: Do Government realise the importance which the question of the Frontier Reforms has assumed, and will they, in view of the long delay, decide to introduce the measure of reforms recommended by the Bray Committee, minus the so-called Ministry, if they like, and allow more Members coming to this House to represent the cause of the North-West Frontier Province?

The Honourable Mr. J. Crerar: Government certainly recognise the great importance of this question. As I have already said, I have at present no further statement to make.

Mr. M. A. Jinnah: May I ask the Honourable Member whether the matter is still under consideration and can he tell us when the consideration of this matter would be concluded, the probable date, the probable period?

The Honourable Mr. J. Crerar: I am afraid I cannot suggest any particular date.

Lala Lajpat Rai: Are the Government aware that the non-decision of this case, the delay in the decision of this matter, whatever the actual decision, causes a great deal of friction between the Hindus and the Muhammadans?

The Honourable Mr. J. Crerar: Government appreciate the great importance of this question in all its bearings.

INDIANISATION OF THE MEDICAL SERVICES.

389. ***Mr. M. S. Aney:** (a) Will the Government be pleased to state whether the recommendations of the Lee Commission regarding Indianisation of the Medical Services and reduction of the cadre of the Indian Medical Service have been given effect to?

(b) With reference to the despatch of the Secretary of State for India under Devolution Rule 12 regarding Indian Medical Service officers, will Government be pleased to state whether they have given or made any attempt to give effect to the scheme promoted in that despatch? If not, why?

Mr. G. S. Bajpai: Government hope to make an announcement on the subject shortly.

The Honourable Member is presumably referring to the scheme of reservation sanctioned by the Secretary of State in 1923 under rule 12 of the Devolution Rules. If so, the reply to this part of his question is in the affirmative.

PAY OF POSTAL EMPLOYEES IN THE MADRAS CIRCLE.

390. ***Mr. G. Sarvotham Rao:** (a) Did the Postal Enquiry Committee of 1920 recommend to the several classes of postal employees in the Madras Circle the same scales of pay—especially with reference to the maximum pay in each scale—as for the Bombay and Bengal Circles?

(b) What are the reasons which induced the Government to give a lower scale of pay for the Madras Circle?

(c) Is it due to the difference in the cost of living and if so, have Government made investigation in the matter, or, is it due to a comparison with the scales of pay obtaining in the Local Government?

(d) Why was not comparison made with similar All-India Government services such as the telegraphists?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) Government did not consider the places in Madras Circle at which lower scales of pay have been given to be as costly as the places in the Bombay and Bengal Circles where higher scales of pay have been given.

(c) The Government of India have made no independent investigation into the cost of living, but in these cases the scales of pay granted by the Local Government are accepted as a suitable index of such cost.

(d) Local scales of pay are fixed with reference to local conditions. The pay of All-India Government services is fixed on different considerations.

INITIAL SALARY OF POSTAL CLERKS IN MADRAS CITY.

391. ***Mr. G. Sarvotham Rao:** (a) Was the initial salary fixed by the Postal Enquiry Committee for Madras City lowered by the Government recently? If so, why?

(b) Is the initial salary for postal clerks and of similar employees in Civil Account Offices in Madras city the same now?

(c) Is it due to the fact that there is a large number of educated men available in Madras for any salary?

(d) Are not wages in England fixed by a Wages Board with reference to the cost of living and is any variation in the cost of living met by the cost of living 'bonus'?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, in the case of clerks. The Government of India came to the conclusion that the local conditions in Madras City did not justify the continuance of the initial salary recommended for postal clerks by the Postal Enquiry Committee.

(b) Yes.

(c) No.

(d) Yes.

PAY OF POSTAL CLERKS IN MADRAS CITY.

392. ***Mr. G. Sarvotham Rao:** (a) Is it a fact that in the Presidency Towns of Bombay and Calcutta and with the exception of a few stations in the rest of the Circles the maximum pay for clerks, postmen, packers, etc., is the same?

(b) Have Government ascertained whether the cost of living is uniform in all these places?

(c) Have the postal officials at Madras sent representations to the Government through their Union praying that they should be given the same scale of pay as officials at Calcutta were given by the Postal Enquiry Committee? If the reply be in the affirmative will their request be granted? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) No.

(c) Such representations have been received in respect of postal clerks. It is not proposed to grant postal clerks serving in Madras the same scale of pay as for postal clerks serving in Calcutta, for the reason already given in my reply to part (b) of the Honourable Member's question No. 390. It has been decided, however, to grant an improved scale of pay to postal clerks serving in the Madras City.

VISIT TO INDIA OF MISS SCHALEK.

393. ***Mr. B. Das:** (a) Did Miss Mayo come with a letter of credentials from the American Government and did the India Office and the Government of India scrutinise her letter of credentials before she was allowed the confidence of the Government officials?

(b) What safeguards have Government adopted so that Miss Schalek may not commit acts of misrepresentation in her writings on India and the Indian people?

The Honourable Mr. J. Crerar: (a) The answer to the first part of the question is in the negative, and the second part does not arise.

(b) The action which Government thought desirable is indicated in the letter which the Honourable Member has quoted in a previous question.

Lala Lajpat Rai: Are the Government aware that Miss Mayo has stated in her book that she accompanied Deputy Commissioners and Commissioners in their tours in order to study conditions? Did the Government authorise her to accompany those officers on their tours?

The Honourable Mr. J. Crerar: I think I must ask the Honourable Member to refer me to the document which the Honourable Member is quoting from before I can give an answer to that question.

Lala Lajpat Rai: I presume that the Honourable Member has already read that book, because he answered questions relating to it before.

The Honourable Mr. J. Crerar: I have certainly read the book, but I have not memorized it.

REPRESENTATION ON THE AMERICAN STAGE OF MISS MAYO'S BOOK "MOTHER INDIA".

394. ***Mr. B. Das:** (a) Has the attention of the Government been drawn to a letter of Sreemati Rangini Devi from the United States in the *Hindustan Times* and other papers that Miss Mayo's book "Mother India" is being presented on the American stage as a one act play depicting the inhuman cruelty of an Indian husband to his wife?

(b) Have Government taken any action so far to stop misrepresentation of Indian life to the American people? If not, are Government prepared to take any action?

Sir Denys Bray: Steps were taken to initiate such action as may be possible the day the article came to my notice.

EMPLOYMENT OF BIHARIS AND ORIYAS IN THE GOVERNMENT OF INDIA SECRETARIAT AND CENTRAL DEPARTMENTS.

395. ***Raja Raghunandan Prasad Singh:** (a) Will the Government be pleased to state how many men from the Province of Bihar and Orissa are serving at present as clerks in the Central Government's offices which are under the Public Service Commission?

(b) Will the Government be pleased to state what is their proportion to the total number employed as clerks from the various other Provinces of India?

(c) Is it a fact that there is not a single Oriya in any of the offices of the Imperial Secretariat?

(d) Is it a fact that there is not a single Oriya serving as a clerk in any of the following offices which are not under the Public Service Commission:

- (1) Director General, Posts and Telegraphs.
- (2) Railway Board.
- (3) Audit Officer, Indian Stores Department.
- (4) Accountant General, Railways.
- (5) Accountant General, Central Revenues?

(e) Will the Government be pleased to state how many candidates from Orissa and how many from Bihar have in the last year (1927) and in the current year (1928) applied for service in the Central Government and what favourable consideration has been shown to them?

The Honourable Mr. J. Crerar: Parts (a) to (e). The information is being collected and will be furnished to the Honourable Member in due course.

CREATION OF UNIVERSITY TRAINING CORPS AT DACCA AND NAGPUR.

396. ***Dr. B. S. Moonje:** With reference to parts (b) and (c) of my question No. 962, dated the 15th March, 1927, in which it was stated that the applications of the Universities of Nagpur, Dacca and Andhra for permission to form University Training Corps were received and that they were under consideration, will the Government be pleased to state if the permission asked for has been granted?

Mr. G. M. Young: Government have decided to create University Training Corps at Dacca and Nagpur and funds for this purpose have been provided in the Budget for 1928-29. The constitution of these two units will be taken up as soon as possible after the 1st April. The formation of a similar unit for the Andhra University must, I am afraid, wait until more funds are available.

SUBSIDIES, REWARDS OR ALLOWANCES PAID TO TRANS-FRONTIER TRIBESMEN, ETC.

397. ***Dr. B. S. Moonje:** (a) Will the Government be pleased to supply information on the following points:

- (i) the amounts of subsidies, rewards or allowances paid to the tribesmen of the Trans-frontier tribal country for keeping peace per year during the last five years;
- (ii) an estimate of the number of modern rifles possessed by the tribesmen of the Trans-frontier tribal country;
- (iii) an estimate of the number of men between the ages of 16 and 55 years in the tribal country;
- (iv) the number of raids committed by them per year during the last five years with an account of the number of Indians killed, wounded, looted and carried away and their classification according to their religion and the amount of property looted?

(b) How many Indians were carried away and held up for ransom per year during the last 5 years with their classification according to their religion and the amounts of ransom paid, if any, in each case?

(c) Is the Arms Act in operation in the villages and towns within the borders of the Frontier generally liable to such raids and if so how many Indians are licensed to possess modern arms with their classification according to their religions?

Sir Denys Bray: The statistics are being collected and will be sent to the Honourable Member in due course.

Mr. Gaya Prasad Singh: Will the Honourable Member be pleased to send a copy of the statistics to me also?

Sir Denys Bray: I shall be glad to send the Honourable Member a copy.

RESIGNATIONS OF THEIR COMMISSIONS BY OFFICERS OF THE TERRITORIAL
AND AUXILIARY FORCES SINCE 1923.

398. ***The Revd. J. C. Chatterjee:** Will Government be pleased to state the number of resignations of their Commissions (whether accepted or pending), received from officers of each battalion of the Territorial and Auxiliary Forces since 1923 and the names of the various battalions from which such resignations have been received?

Mr. G. M. Young: The information desired by the Honourable Member is not readily available and its collection would involve an expenditure of time and labour which, in the opinion of the Government of India, would not be commensurate with the results. All resignations of commissions are published at the time in the Gazette of India.

The Revd. J. C. Chatterjee: Are Government aware that the number of resignations from officers of the Territorial Forces are very much in excess of the resignations received from officers in the regular army?

Mr. G. M. Young: No, Sir, not at the moment.

ADJUTANTS AND COMMANDING OFFICERS OF UNITS OF UNIVERSITY TRAIN-
ING CORPS, ETC.

399. ***The Revd. J. C. Chatterjee:** (a) Will Government be pleased to state, what special considerations, if any, are borne in mind, in selecting Adjutants and Commanding Officers of units of University Training Corps?

(b) Are similar considerations also kept in view, in making selections for Commanding Officers of active battalions of the Indian Territorial Force?

Mr. G. M. Young: (a) and (b). In both cases officers are selected with special reference to their military qualifications and the composition of the Corps or unit to which they are appointed.

MEDICAL INSPECTION OF SCHOOL CHILDREN IN DELHI.

400. ***The Revd. J. C. Chatterjee:** (a) Are Government aware of the fact that no provision has hitherto been made for the medical inspection of school children in Delhi?

(b) Will Government be pleased to state how long a scheme for the medical inspection of school children has been under their consideration?

(c) Will Government be pleased to state when they propose to give practical effect to the scheme?

Mr. G. S. Bajpai: With your permission, Sir, I shall answer parts (a), (b) and (c) together. A scheme of medical inspection of children in schools in Delhi was submitted to Government in October 1927 and has been sanctioned with effect from the 1st February 1928, and the necessary funds have been provided for it. Steps are being taken to give effect to the scheme immediately.

RECRUITMENT OF THE MERS AND MERATS OF AJMER-MERWARA TO THE INDIAN ARMY.

401. ***Rai Sahib Harbilas Sarda:** (a) With reference to Government's reply to my question No. 840, given on the 2nd September, 1927, will Government be pleased to state whether it is after the world war or from before it that the material furnished by the Mers and Merats of Ajmer-Merwara has been considered inferior to that furnished by others?

(b) Will Government be pleased to state whether this belief is based on reports submitted by officers who were in command when the Mers and Merats were on field service?

(c) Were these reports supported by incidents, occurrences or other facts proving their physical inferiority and have Government tested the correctness of these reports?

(d) Is it a fact that Colonel Hoskqri, who long served in and later commanded the Merwara Infantry at Ajmer, and the present Recruiting Officer in Rajputana protested against the ban being placed on the recruitment of Mers and Merats and have these and other officers who have had intimate knowledge of Mers and Merats strongly recommended that these classes should be recruited for the Army?

(e) Will Government be pleased to state, in case the Mers and Merats were not considered inferior in fighting qualities, before the World War, the reasons why they are now considered inferior?

(f) Is it a fact that almost the entire adult male Mer and Merat population of Merwara enlisted in the Army during the Great War and went to the front and that their field service was declared to be efficient and satisfactory?

(g) Are Government prepared to hold an open enquiry to find out whether the Mers and Merats are fit for recruitment to the Army?

Mr. G. M. Young: In the interests of the community concerned, I would prefer not to give a detailed answer to my Honourable friend's question on the floor of this House. I will, however, supply him privately with all the information he desires, and he can use it in any way he likes.

APPOINTMENT OF INDIANS AS CHIEF MEDICAL OFFICERS ON STATE RAILWAYS.

402. ***Nawab Sir Zulfiqar Ali Khan:** (a) Will the Government be pleased to state whether any Indian has ever acted as Chief Medical Officer in any State Railway since the inauguration of the Reforms in 1921?

(b) Will the Government be pleased to state the medical qualifications essential for holding administrative medical appointments on Railways?

(c) Will the Government be pleased to lay on the table a statement giving the names of medical officers serving in the E. I., the G. I. P., the E. B., and the N. W. Railways, with their medical qualifications and indicating which of them possesses the requisite professional qualifications for administrative appointments?

(d) Will the Government be pleased to state whether they are considering the desirability of appointing at the earliest opportunity qualified Indians to administrative posts such as those of C. M. Os. and P. M. Os.?

Mr. A. A. L. Parsons: (a) No.

(b) There are no general orders on the subject, but it is considered desirable that incumbents should hold a diploma of public health.

(c) I would refer the Honourable Member to the Classified List of State Railway Establishment which also gives the degrees held by the officers concerned.

(d) The appointments go by selection; there is no reason why Indians should not hold them; the most suitable man is selected irrespective of either nationality or seniority.

SHORT NOTICE QUESTION AND ANSWER.

LOCKOUT AT LILLOOAH ON THE EAST INDIAN RAILWAY.

Mr. N. M. Joshi: (a) Is it a fact that about 14,000 workmen working in the workshop at Lillooah have been locked out since the 7th instant?

(b) Will Government be pleased to state the facts and issues involved in the dispute?

(c) Will Government be pleased to state what steps they have taken to give proper consideration to the demands of the workers involved?

The Honourable Sir George Rainy: The facts of the case as far as is known to Government at present may be briefly stated as follows:

About 1½ months ago, the Agent of the East Indian Railway received two appeals from the Lillooah workshops, asking for increased pay. One of the appeals appeared to come from the unskilled workers and the other from the skilled workers, and in the latter reference was made to the rates of pay at Lahore and Lucknow so that an enquiry had to be made from those places as to the rates of pay in force there. After examination the Agent came to the conclusion that there was neither a case for a general increase of pay nor a case for assimilating or making comparisons with the rates in force in Lahore and Lucknow where conditions are different. He referred his conclusions on these points to the Railway Board who agreed with his views.

The Agent is, however, further examining the question whether the rates of pay of any particular class or classes of workmen in the Lillooah workshops compare unfavourably with the rates of wages paid for similar workmen in other workshops in the vicinity of Calcutta. The full facts have been communicated to the Press in the Agent's communiqué of the 6th instant.

Before the above decision was communicated to the men, the men who had come in to work as usual on Monday morning downed tools after the mid-day break on that date and refused to work. Tuesday was a holiday. On the works re-opening on Wednesday morning the men came in to work again but stood by and did nothing, and in the afternoon of that date they were informed that they would get no pay for the hours they were standing idle and that as they did not appear to be inclined to work the shops would be closed till further notice. In consequence the shops have been closed from the afternoon of that date.

In a telegram, which the Railway Board received from Mr. Mitra, the leader of the Union, the dismissal of 4 men was mentioned as the reason for the men stopping work. On enquiry from the Agent it is understood that after an enquiry 2 men were discharged on the 16th February for

fighting with each other inside the workshop about some private matter, and that 4 men were suspended for 2 days for idling on the 2nd instant. As regards the latter, there was never any question of discharge or dismissal of these 4 men and it would have been open to them to resume work in the ordinary course after the period of suspension was over. The sole reason for closing the shops is the men's refusal to work, and the only explanation of their refusal which has yet been given on behalf of the men is contained in Mr. Mitra's telegram to which I have referred. It does not appear that since the shops were closed, the men have yet approached the Agent or asked that they should be re-opened.

Mr. N. M. Joshi: May I ask whether Government are prepared to appoint either a conciliator or an arbitrator to investigate the issues in this dispute?

The Honourable Sir George Rainy: I don't think in a case of a dispute arising in this way over a mere refusal to work, unexplained on behalf of the men, that the question of appointing an arbitrator or a conciliator really arises. The first step to be taken is that the men should approach the Agent, and until that has been done it is impossible to consider any action of the kind suggested.

Mr. N. M. Joshi: Is it not a fact that the men had complained that the wages paid at Lillooah were lower than in some other workshops?

The Honourable Sir George Rainy: I thought that I had made it clear in my answer, that in their petition they asked that their pay might be assimilated to the rates prevailing in Lucknow and Lahore.

Mr. N. M. Joshi: When the issue consists of the demand for higher wages, may I ask why Government should not appoint either a conciliator or an arbitrator to investigate whether the wages paid at Lillooah are lower or not?

The Honourable Sir George Rainy: I must point out to the Honourable Member that, so far as any statement has been made on behalf of the men, it has not been stated that their refusal to work has any connection with their demand for higher pay.

Mr. K. Ahmed: How is that four men who were previously dismissed on private grounds and two other men who had been suspended foment trouble among 14,000 men, causing them to strike? Is it not on the ground of higher pay?

The Honourable Sir George Rainy: I am afraid I must ask for notice of that question.

Mr. K. Ahmed: In view of the fact that the Honourable Member has himself admitted in his answer that four men were dismissed for private reasons and two were suspended for fomenting trouble, how could they cause a strike among 14,000 men, if not for higher pay? Is that clear?

The Honourable Sir George Rainy: I am sure the Honourable Member will acquit me of any intentional discourtesy, but I should wish to examine maturely the important considerations he has brought to my notice before I reply. (Laughter.)

Mr. K. Ahmed: Will it not be for the benefit of the Honourable Member to take into confidence some other Members also? (Laughter.)

UNSTARRED QUESTIONS AND ANSWERS.

(1) CREATION OF A NORTH-EAST FRONTIER PROVINCE.

(2) REVERSION OF SYLHET TO BENGAL.

336. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Is the statement published in the issue of the *Statesman* of December 21st, 1927, page 7, under the heading "New Frontier Province" correct?

(b) If so, will Government please state if it is a fact that they are considering the creation of a North Eastern Frontier Province, and that they are negotiating on the matter with the Assam Government?

(c) If the answer to (b) is in the affirmative, will Government please state what action they propose to take in the matter, and whether they are in a position to place on the table the views of the Assam Government regarding such creation?

(d) Will Government please state if it was proposed that Sylhet should revert to Bengal?

Sir Denys Bray: I beg to invite the Honourable Member's attention to the reply given on the 7th instant to unstarred question No. 191.

DEVELOPMENT OF CIVIL AVIATION IN INDIA.

337. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Has the attention of Government been drawn to the statement published in the *Statesman* of December 21st, 1927, page 8, under the heading "Air Centre of East"?

(b) If so, will Government please state whether they can state their policy apart from the statement made by Colonel Shelmerdine, Director of Civil Aviation, India, at the annual conference of Associated Chambers of Commerce of India and Ceylon in Calcutta, with regard to the Indianization of the Air Service in India?

(c) Have Government established any institution for the proper training of Indian youths, and will they please state what would be the minimum qualifications of the candidates for such recruitment?

The Honourable Sir Bhupendra Nath Mitra: (a) The answer is in the affirmative.

(b) I would draw the attention of the Honourable Member to my speech in this House on the 1st March 1927 in connection with the demand for a supplementary grant of Rs. 9,96,000 for Aviation during 1926-27. In that speech I explained the general policy of the Government of India in regard to the development of civil aviation in India.

(c) No; but a scheme has been formulated for the grant of scholarships to young Indians for training in aviation in England with a view to possible future employment under the Civil Aviation Directorate in India. The minimum qualification for such scholarships is the B.Sc. Degree, preferably in engineering, or its equivalent, and candidates should not be more than 25 years of age.

CIVIL AERODROMES.

338. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if the new aerodrome is ready at Gya for the purpose of dealing with such traffic as reported by Colonel Shelmerdine?

(b) Does any other aerodrome exist at any other place besides Gya for the same purpose? If so, what are the names where aerodromes exist?

The Honourable Sir Bhupendra Nath Mitra: (a) No, but a site for a civil aerodrome at Gaya has recently been acquired, and the work of preparation will be put in hand at once.

(b) Yes. Government civil aerodromes and landing grounds exist at Karachi, Allahabad (Bamraoli), Fatehpur, Calcutta (Dum Dum), Akyab and Victoria Point.

STATEMENT IN THE *STATESMAN* OF DECEMBER 21st, 1927, UNDER THE HEADING "BENGAL RAIL PROJECT".

339. Khan Bahadur Sarfaraz Hussain Khan: (a) Is the statement published in the issue of the *Statesman* of December 21st, 1927, page 11, under the heading "Bengal Rail Project" correct?

(b) If so, will Government please state the total estimated cost for the purpose of the Bengal rail project?

(c) Is it a fact that the project is the biggest scheme of the Eastern Bengal Railway programme and is it contemplated to be completed by the next 5 years?

Mr. A. A. L. Parsons: (a) Yes, except that the project has not yet been put before the Standing Finance Committee, certain details being still under consideration.

(b) The estimated cost of the Dacca-Aricha Railway, if built on the broad gauge, is Rs. 189 lakhs.

(c) Yes.

ESTABLISHMENT OF A PROVIDENT FUND FOR TEMPORARY AND EXTRA TEMPORARY STAFF IN THE ORDNANCE AND CLOTHING FACTORIES.

340. Khan Bahadur Sarfaraz Hussain Khan: (a) With reference to Government reply "The question of establishing a Provident Fund to include a contribution by Government is under consideration" to starred question 1138 on the 19th September, 1927, will Government please state if they have come to any decision in the matter?

(b) If so, will they please communicate the result to the House?

Mr. G. M. Young: The Honourable Member is referred to the reply given on the 1st February to Mr. N. M. Joshi's starred question No. 30.

RECRUITMENT OF A CHEAPER CLERICAL STAFF IN THE POSTAL DEPARTMENT.

341. Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have arrived at any decision regarding the subject of recruitment of a cheaper clerical staff in the Postal Department (*vide* Government reply to starred question 1101 on the 19th September, 1927)?

(b) If so, will they please state if orders on the subject have been issued?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to my reply to Mr. N. M. Joshi's unstarred question No. 296 on the 7th of March 1928.

VACANT MILITARY BUILDINGS AT SATARA.

342. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply "A proposal for utilizing the buildings is under consideration" to part (c) of the unstarred question 130 on the 19th September, 1927, regarding vacant military buildings at Satara, will Government please state if any decision has been arrived at on the subject?

(b) If so, will Government please lay the result on the table?

Mr. G. M. Young: (a) The answer is in the negative.

(b) Does not arise.

RESOLUTION NO. 90, PASSED AT THE 7TH SESSION OF THE ALL-INDIA POSTAL AND RAILWAY MAIL SERVICE CONFERENCE HELD AT NAGPUR.

343. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if they have come to any decision regarding the resolution No. 90, passed at the 7th session of the All-India Postal and Railway Mail Service Conference held at Nagpur as referred to in Government reply to unstarred question 134 in the meeting of the Legislative Assembly on the 19th September, 1927?

(b) If so, will they please communicate the result to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The matter is still under consideration.

HEALTH OF MR. SATISH CHANDRA CHAKRABARTY, A STATE PRISONER.

344. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if they have made inquiries on the points raised by Mr. Satyendra Chandra Mitra as referred to in Government reply to starred question 1034 on the 14th September, 1927?

(b) If so, will they please communicate the result to the House?

The Honourable Mr. J. Crerar: (a) Yes.

(b) A copy of a letter dated the 19th November 1927 sent to Mr. Mitra as laid on the table. With reference to the last sentence of the letter I should add that Mr. Chakrabarti has since been brought back to Bengal and placed in village domicile.

COPY OF LETTER NO. D.3667, DATED THE 19TH NOVEMBER 1927, FROM THE DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA, TO S. C. MITRA, ESQ., M.L.A., NO. 122, BOW BAZAR STREET, CALCUTTA.

SUBJECT:—*Health of State prisoner Satish Chandra Chakrabarti.*

I am directed to invite a reference to the reply given by the Hon. the Home Member in the Legislative Assembly on the 14th September 1927 to your question No. 1034 on the subject noted above, and to furnish the following information with reference to the points raised in your question:

(a) Symptoms shown by Mr. Chakrabarti while in confinement have given rise to the suspicion that he is suffering from filariasis. But the blood test for filaria, the organism that produces the disease, has given negative results. It is not possible to say when this condition first began to appear, since it is one that develops slowly. It was first brought to Government's notice while Mr. Chakrabarti was in the Mandalay Jail, and

was then believed to be of some years' standing, though it gave rise to no active symptoms while he was there, and the presence of filaria has never been definitely established.

(b) The Superintendent reported that no treatment other than that already given, was likely to be beneficial, and that there was no specific cure for filariasis. Mr. Chakravarti was allowed Ayurvedic treatment, under which there was some slight improvement, but the symptoms remain. Government have no information as regards any assurances that Kaviraj Shyamadas Bachaspati may have given him.

(c) There is no such proposal before Government.

CASE OF MR. BEPIN BEHARI GANGULI, A STATE PRISONER.

345. **Khan Bahadur Sarfaraz Hussain Khan:** (a) With reference to Government reply "A petition has been received and is at present under consideration" to starred question 1035 on the 14th September, 1927, will Government please state if they have come to any decision on the subject?

(b) If so, will they please communicate the result to the House?

The Honourable Mr. J. Crerar: The State prisoner has been allowed to visit places where his land is situated, in order to enable him to produce evidence before the settlement authorities engaged in preparing the record of rights.

NUMBER AND NAMES OF ANCIENT BUILDINGS OF HISTORICAL INTEREST EXISTING IN THE NEW CAPITAL AREA.

346. **Khan Bahadur Sarfaraz Hussain Khan:** Will Government be pleased to state the number and names of the ancient buildings of historical interest existing in the New Capital area?

Mr. G. S. Bajpai: A list of ancient buildings and monuments of historical interest in the New Capital area, which are looked after by the Archaeological Department, has been placed in the Library of the House.

ASSAM-BENGAL RAILWAY STATION AT SYLHET GHAT.

347. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if they have received the Proceedings of the Assam Council for the 20th July 1927, as referred to in Government reply to starred question 1036 in the meeting of the Legislative Assembly on the 14th September, 1927?

(b) If so, are Government in a position to furnish the replies to parts (a) and (b) of Mr. Sris Chandra Dutta's question?

Mr. A. A. L. Parsons: (a) Yes.

(b) I am having a copy of the letter containing the information sent to the Honourable Member.

TIME TEST OF DEAD LETTER OFFICES.

348. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please inquire if the Director-General of Posts and Telegraphs has arrived

at any final decision on the subject of the time test of Dead Letter offices, which was under revision (*vide* Government reply to unstarred question 122 in the meeting of the Legislative Assembly on the 14th September, 1927)?

(b) If so, will they please communicate the result to the House?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b). The matter is still under consideration of the Director General.

NUMBER OF RAJPUTS SERVING AS COMBATANTS IN THE INDIAN ARMY.

349. Mr. Gaya Prasad Singh: (a) Will Government kindly give a statement, showing the number of Rajputs employed in the combatant force of the Indian Army, year by year, during the last 25 years, or for such other period for which the figures may be available?

(b) Are such figures available separately for the different Provinces?

Mr. G. M. Young: (a) and (b). I will furnish the Honourable Member separately with a statement showing the number of Rajputs, by provinces so far as this is possible, who were serving as combatants in the Indian Army on the 1st January of each of the years from 1918 to 1927. I trust that this information will suffice for the Honourable Member's purpose.

ADVERTISING OF ALTERATIONS ON THE TIMINGS OF TRAINS ON THE EAST INDIAN RAILWAY IN THE SAKTI OF BURDWAN.

350. Mr. Amar Nath Dutt: (a) Is it a fact that alterations in the timings of trains on the East Indian Railway are advertised in some mofussil vernacular newspapers?

(b) Is it a fact that such alterations of timings on the East Indian Railway are not advertised in the *Sakti* newspaper published weekly in Burdwan, East Indian Railway? If so, will the Government please state the reasons for the same?

Mr. A. A. L. Parsons: (a) and (b). I would refer the Honourable Member to the reply given to questions Nos. 635 and 636 to Mr. Mukhtar Singh on the 1st March, 1927.

AMENDMENT OF THE IMMIGRATION LAW IN PANAMA.

351. Khan Bahadur Sarfaraz Hussain Khan: Have the Panama authorities amended the Immigration Law for Indian residents known as "benevolent leniency" as promised by the said authorities in accordance with His Majesty's Government's representation [*vide* Government reply to my starred question No. 467 (b) on the 25th August 1927]?

Sir Denys Bray: Not yet, so far as the Government of India are aware. It is understood that the matter will be taken up when the Panama National Assembly meets this year.

STATEMENT IN THE STATESMAN OF DECEMBER 21ST, 1927, UNDER THE HEADING "INDIAN FLOOD RELIEF".

352. Khan Bahadur Sarfaraz Hussain Khan: (a) Has the attention of Government been drawn to the statement published in the *Statesman* of December 21st, 1927, page 7, under the heading "Indian Flood Relief"?

(b) If so, will Government please state if the statement made therein "£1,485 being the total amount which has been collected" is correct?

(c) If correct, will Government please state if they will obtain the information from the Governor of Bombay if he has received the amount remitted to him?

(d) Has the Governor of Bombay distributed the amount so collected in the different circles in India where flood havoc devastated the area?

Mr. G. S. Bajpai: (a) Yes.

(b), (c) and (d). The information is being collected and will be supplied to the Honourable Member later.

CIRCULAR NO. 29 ISSUED BY THE DIRECTOR-GENERAL OF POSTS AND TELEGRAPHS.

353. **Mr. Srish Chandra Dutta:** (a) Has the attention of the Government been drawn to the paragraph "Foolish Postal Circular" in the editorial column of the *Amrita Bazar Patrika* of the 17th February, 1928?

(b) If so, will the Government be pleased to state:

(i) the circumstances that led to the issue of such an order for the Posts and Telegraphs Department?

(ii) What effective provision has been made to guard against the disabilities for the young men seeking appointment in that Department as pointed out in the resolution of the All-India Postal and R. M. S. Conference referred to in the editorial?

(c) Are the Government aware of the fact that there is no such restriction relating to the recruitment of clerks in the mercantile establishments in Calcutta or Bombay?

(d) Are there restrictions to the recruitment for Local Government services similar to those imposed by Director-General's Circular No. 29?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) (i) and (d). The Honourable Member is referred to the reply given to part (c) of his question which was answered in the Legislative Assembly on the 14th March, 1927.

(b) (ii). Government do not consider that there are any disabilities involved as alleged in the resolution referred to by the Honourable Member.

(c) Government have no information.

MOTION FOR ADJOURNMENT.

LOCKOUT AT LILLOOAH ON THE EAST INDIAN RAILWAY.

Mr. President: I have received notice of a motion for the adjournment of the business of the Assembly to discuss the subject matter of the questions just answered by the Honourable Sir George Rainy. The notice is from Mr. Joshi. I do not know whether the Honourable Member wishes to press his motion, in view of the answers that he has received to his short notice questions.

Mr. N. M. Joshi (Nominated: Labour Interests): In view of the unsatisfactory nature of the replies, I do not think I should give up my right of making the motion for adjournment, but if it is to the convenience of the House that I should take it on Monday. . . .

Mr. President: It is not a question of the convenience of the House.

Mr. N. M. Joshi: Then in that case I shall move this motion for adjournment on Monday. I want to know whether there is anything against giving another notice on Monday and moving the same motion.

Mr. President: The Honourable Member does not then consider this motion to be of urgent public importance?

Mr. N. M. Joshi: All right, Sir, then I move my motion.

Sir, the subject matter for which I wish this House to be adjourned is now before this House in the form of the questions and answers. There is a lockout of about 14 000 men in Lillooah. The main issue involved is the demand of the men for an increase in wages. It is quite true that a small side issue has somehow crept in on account of the suspension of four men, but the main issue is the demand for higher wages, and the men have been locked out. In my judgment this is a subject of great public importance, because the East Indian Railway is public property, and any great event like this is bound to affect the public interests. Secondly, it is of recent occurrence, therefore I do not think there is anything in the Standing Orders which will come in the way of my moving this adjournment. It is a definite matter, a matter of public importance, and a matter of recent occurrence. I therefore hope that leave will be given to me to make my motion to-day.

The Honourable Sir George Rainy (Member for Commerce and Railways): I think, Sir, it would be unfortunate if the doctrine advanced by the Honourable Member were stretched to this extent, that it was held that the occurrence of any strike on a railway was a matter of such urgent public importance as to deserve to be considered by means of a motion for the adjournment of this House. I frankly admit that, when a large industrial establishment like a State Railway workshop has to be closed down, it is a matter of public importance. But I do submit that the degree of urgency, as well as, to some extent, the importance of the question, must depend upon the circumstances of each particular case. Now in this case the Honourable Member has submitted that the real cause of the refusal to work is the claim to increased pay. But, Sir, I would point out that no information has reached Government to that effect from the men themselves. I have stated the facts as fully as I could in my answers, and it does seem to me, Sir, that in this particular case it cannot be said that the matter is of such urgency as to justify a motion for adjournment. Clearly it is a case in which the natural course would be for the men to approach the Agent and to clear up the issues which are involved in the matter. I submit this is a case in which it would be within the discretion of the Chair to rule that the motion was not of such public importance or of such urgency as to justify the motion for adjournment.

Mr. President: If I were to admit this motion it would mean that every lockout or strike can be a subject matter for a motion for adjournment. I am afraid I am not prepared to lay down such a general rule.

Unless there are any special circumstances connected with a lockout or strike justifying the Honourable Member to break through the normal business of the House, I am not prepared to allow him to do so. I therefore rule the motion out of order.

MOTION FOR ADJOURNMENT.

ANNOUNCEMENT MADE BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF ON THE 8TH MARCH, 1928, IN CONNECTION WITH THE REPORT OF THE SANDHURST COMMITTEE.

Mr. President: I have also received notice of a motion for the adjournment of the business of the Assembly from Mr. Jinnah. The motion reads thus:

"I beg to give you notice that I shall move to-day for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, the announcement made by His Excellency the Commander-in-Chief on the 8th March, 1928, in connection with the Report of the Sandhurst Committee."

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, I beg your leave to allow me to make this motion for the adjournment of the business of the Assembly, on the ground that the matter that I want to discuss is a definite matter of urgent public importance. That it is definite I do not think it can be doubted. That it is a matter of public importance of the highest order cannot be disputed; and further it is an urgent matter and I want to restrict myself to this one specific matter of recent occurrence and it is this: that the announcement made by His Excellency the Commander-in-Chief is in total defiance of the decision of the Assembly which was arrived at in its last session at Simla, which endorsed without a division the unanimous recommendations of the Sandhurst Committee. Sir, I therefore ask you to give me leave to move this motion.

The Honourable Sir Basil Blackett (Leader of the House): Sir, that this is a matter of definite public importance I should be the last to deny. The Government welcome a full discussion of the matter and have from the first undertaken that full opportunity would be given to this House to discuss the Government's views on the Report of the Skeen Committee. But for that very reason the Government would deprecate this discussion in the comparatively short time that is available for a motion for the adjournment of the House. I would ask you, Sir, to rule that this proposal is out of order on the ground that it anticipates a matter which has been previously appointed for consideration and a matter with reference to which a notice of motion has been previously given. The whole subject can be discussed on the Army Department Grant. The discussion of that Grant has been specially advanced for Tuesday or Wednesday of next week, indeed, at the request of the Honourable Member who desires to move this motion for adjournment, and a notice has been given of a special motion with a view to raising this question. If by any chance . . .

Mr. President: Is there a special motion down on the paper?

The Honourable Sir Basil Blackett: Yes.

Mr. M. A. Jinnah: By whom?

The Honourable Sir Basil Blackett: I have Mr. Chaman Lall's motion—"for obvious reasons". (Laughter.) But there is also a motion on the question of Indianising the Army.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Mr. Chaman Lall was not present when this announcement was made.

The Honourable Sir Basil Blackett: In any case if by any chance the motion for that discussion were not reached before the guillotine falls next Thursday, the Government would be very willing to consider the grant of a special day later in the Session with a view to discussion of the whole question of the Government's decision on the Skeen Committee Report, for the reason that they do desire a full discussion of the matter.

Mr. M. A. Jinnah: Would you allow me to say a few words, Sir? The Honourable the Leader of the House has missed the point entirely. He says the Government are prepared to give a day to discuss the whole question. That is not the purpose of my motion. The purpose of my motion, as I made it clear, and surely the Honourable the Leader of the House ought to know, is this.

Mr. President: The Honourable Member has no right of reply.

Mr. M. A. Jinnah: I want to make it clear in my arguments that he ought to know that I am restricting my motion to one specific matter of recent occurrence which is the only justification for a motion of this character; and that specific event of recent occurrence is that the announcement made by the Commander-in-Chief overrules the unanimous recommendations of the Assembly. That is my grievance. I am not going to discuss Indianisation; I do not want to discuss the policy, military or otherwise; and it is this specific purpose I have in view. Then, Sir, he said.

Mr. President: The Honourable Member is really replying.

Mr. M. A. Jinnah: I am arguing that his arguments are wrong.

Mr. President: The Honourable Member is not entitled to make a reply.

***Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I am sorry that the Honourable the Leader of the House opposes this motion. The ground that he advances is that he wishes the matter to be fully discussed and that the time allowed for an adjournment motion will not give the House that time to discuss the subject. He has said that, if the guillotine falls before the motion of Mr. Chaman Lall is reached, the Government will set apart one day for the discussion of this question. But, Sir, the rule referred to by Mr. Jinnah points out what kinds of matters should be taken up for an adjournment of the House. The word "urgent" is important there and the urgency of this matter lies in the fact that the Government after having for a long time refused to listen to complaints on this subject, after all appointed a Committee which took fourteen months to report and on the report of that Committee the Government took a long time and have announced a decision which has come as a shock to the Members of this House and to the country. Sir, the fact that that shock was received by us at the last meeting of this Assembly leads us to ask for

*Speech not corrected by the Honourable Member.

the earliest opportunity to give expression to the feelings created in the minds of our people. The question whether a military college shall or shall not be established in India is a question of life and death to the people of this country. The whole question of future responsible government in this country hangs upon that question.

Mr. President: No one has questioned the urgency of the motion.

Pandit Madan Mohan Malaviya: That is the urgency of it; the urgency of it lies in the fact that, if our feelings have really received the shock that I say they have received, we should take the earliest opportunity to give expression to those feelings. A day matters; four days matter much more. To suggest that we should not take it up now, but wait till the Army Department Grant comes up, is, I submit, entirely to ignore the importance of this question. We want an opportunity to give urgent expression to our opinion so that the Government in this country, the people in this country and the Government in England should know in what light we received this announcement of Government. We feel that there has not been an announcement of greater importance for a long time past than this announcement. We want therefore to take the earliest opportunity to give expression to the feelings which are entertained by our people on this subject. I hope, Sir, that you will rule that this is a matter, of course of definite public importance, but also of definite urgent public importance which the House should have the earliest opportunity to discuss.

Mr. President: Order, order. Pandit Motilal Nehru.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): Sir, the question which you have to consider before you exercise your powers of allowing or disallowing the motion is a very short one. It is admitted on all hands in the House that it is a very urgent matter; it is also admitted that it is of great public importance. Now, what you have to see, Sir, is whether the grounds advanced by the Honourable the Leader of the House for your disallowing the motion are legitimate and valid. I say that they have absolutely no support in the rules. The first ground is that there are certain motions on the Army Grant on which the question can be raised. What is the question to be raised? Mr. Jinnah has clearly pointed out the specific question which he wants to raise and that question is—if he will permit me to make it even simpler than he did—that we wish to censure the Government in this matter. Now, Sir, is it any answer and will you not be setting a very unsatisfactory precedent if you were to entertain any such proposal as has been made by the Honourable the Leader of the House who says “Oh, well, please do not censure us to-day; we will give you time on another day to discuss the matter?” These are the only two grounds. The first, I submit, has not been made out. This motion does not anticipate any other motion on the agenda; and as regards the second ground, I submit it should not be considered at all; because if you take it into consideration, it would be urged and could be urged in every case where a motion for adjournment is sought to be moved. It is not the discussion of the policy that we are aiming at. We are only concerned with the fact whether the Government deserves a vote of censure at the hands of this House or not for something that they have already done, and I submit, Sir, that on these grounds there is absolutely no reason why this motion should not be allowed.

Colonel J. D. Crawford (Bengal: European): Sir, Mr. Jinnah in pressing for his motion argued that the Report of the Indian Sandhurst Committee and the wishes of this House had been definitely flouted in the announcement made by His Excellency the Commander-in-Chief and pressed the urgency of the adjournment on that particular issue. With all due respect to him, I would suggest that the statement made by His Excellency the Commander-in-Chief is not tantamount to definitely flouting the views of this House; it is only a difference in method to be adopted regarding the Indianization of the Army, and that to confine the debate to the two hours allowed for an adjournment motion will preclude many individuals who would like to discuss the matter from taking part in the debate.

Mr. President: I understand that the object of the motion is to censure the Government of India for turning down the unanimous recommendations of the Committee of their own creation. I have no doubt whatever—in fact, it has been admitted on all hands,—that the matter proposed to be raised is definitely urgent and of public importance. I am also convinced, and, in fact it has been recognised, that an early opportunity should be afforded for raising this matter. The question is, when should that opportunity come? I am of opinion that the matter proposed to be discussed is of such vital importance to the people of this country that an immediate opportunity should be afforded to the representatives of the people in this House to discuss it. The only objection taken by Government is that the motion is barred by anticipation. I have seen the various notices of motions on Demands for Grants, and I find none on which this definite question which is proposed to be raised by Mr. Jinnah can be raised. It might be argued, though it has not been argued, that Mr. Jinnah might put down a motion even now on the army estimates, but the answer to that argument is that, no one could say with any degree of certainty that the motion would be reached. It may or may not be that if a notice of motion is given by Mr. Jinnah it will be reached either on Thursday or on Friday or will be reached at all. There is no reason why the Honourable Member should take any risk. In this view I am not prepared to hold that the motion is barred by anticipation. In any case, I consider the matter is of such grave importance to the people of this country that I must allow the earliest possible opportunity to raise it, and I therefore rule that the motion is in order.

I now ask whether the Member from Bombay has the leave of the Assembly to move the adjournment?

As no one objects, I intimate that leave is granted and the motion will be taken up for discussion at 4 P.M.

THE INDIAN TERRITORIAL FORCE (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. G. M. Young (Army Secretary): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Territorial Force Act, 1920, for certain purposes.

THE AUXILIARY FORCE (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. G. M. Young (Army Secretary): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Auxiliary Force Act, 1920, for certain purposes.

THE INDIAN SUCCESSION (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Maulvi Muhammad Yakub (Rohilkund and Kumson Divisions: Muhammadan Rural): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Succession Act, 1925.

THE GENERAL BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Expenditure charged to Revenue.

DEMAND No. 16—CUSTOMS.

The Honourable Sir Basil Blackett (Finance Member): Sir, I beg to move:

“That a sum not exceeding Rs. 72,74,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st March, 1929, in respect of ‘Customs’.”

Abolition of the Export Duty on Raw Hides.

Mr. Mohamad Rafique (Calcutta and Suburbs: Muhammadan Urban): Sir, I beg to move:

“That the Demand under the head ‘Customs’ be reduced by Rs. 9,00,000.”

Sir, this cut is proposed to draw the attention of the Government to the fact that it has not abolished the export duty on hides. This matter for the abolition of the duty on hides was brought up last year, but unfortunately, as the House was not in a good mood after the fate of the Ratio Bill, and as some Members suspected that the abolition of the duty would lead to the slaughter in larger number of cows in the country, they voted against it. The third reason was that it was made a party question by the Swaraj Party and the party decided to vote against the abolition of the duty and the House carried it. I will just narrate the short history of the duty. This duty was imposed by the Government of India in 1919, and at that time the then Commerce Member, the Honourable Sir George Barnes, in introducing the Tariff Amendment Bill said as follows:

“It is to impose an export duty of 15 per cent. on hides and skins with a rebate of 10 per cent. on hides and skins exported to other parts of the Empire and there tanned. Its object is to convert into fully tanned leather or articles of leather so far as possible in India or failing this in other parts of the Empire instead of being exported in a raw state for manufacture in foreign countries.”

Sir, from the above it will be apparent that the Government in imposing the duty had two objects in view, namely, (1) to encourage the

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tanning industry so as to convert hides into fully tanned leather or articles of leather, and (2) to confine the export of raw hides from India to the British Empire only.

And in further moving the introduction of the Tariff (Amendment) Bill, Sir George Barnes said as follows:

"Though Indian tanners have enormously increased during the past three years, they can only deal with a comparatively small proportion of the raw hides and skins which India produces and it is to the advantage of India and the security of the Empire generally that this large surplus should, so far as possible, be tanned within the Empire."

There we find that, while suggesting a form of relief to Indian tanners he - that these tanners can consume only a small quantity of the whole product, and that was why he wanted that the duty should be at the rate of 15 per cent. to foreigners and 5 per cent. to the people in the British Empire. So, there are two things, firstly, to help the tanning industry and secondly to help British tanners, and in the end he said:

"I need hardly tell you that the effect of the Bill on the producer of raw hides and skins has been most carefully examined by our expert adviser. We have no desire to benefit Indian tanners at the expense of the Indian cattle owner or dealer in hides and skins."

He, therefore, said that this duty had been imposed after consulting the greatest authority that the Government of India could think of and that this duty would not be any hardship to the Indian cattle owner or producer of hides and skins. I will just show you, Sir, that all these that Government wanted to give relief to, has not been fulfilled. I will just narrate shortly its history for the benefit of the House and especially those Members of the House who are not well informed about this industry. As I have been in this business for a long time I think it my duty to tell them how it affects the people at large. Sir, the Indian Taxation Enquiry Committee in 1924-25 submitted a report on the duty on hides and skins. I think I will read the whole paragraph. They said:

"The last of the existing export duties is that on hides and skins. This was first designed mainly as a measure of protection to the Indian tanning industry and to divert the tanning of Indian hides from Germany to the British Empire . . ."

So they make it quite clear that the relief that the Government of India wanted to give was not due to a sincere wish on their part to help the tanning industry but to divert it from the hands of the German people to the British people, and in order to do that, they gave this 10 per cent. rebate to the British people so that they can gain by this protection and preference complete monopoly and compete with the German people. The report further said:

"The experiment failed to achieve either object."

That is, it did not give any relief to the tanning industry in India and it did not give any help to the British tanners.

" . . . The Indian tanning industry did not succeed in establishing itself in the manner which was expected when the duty was imposed; the export of hides from India has fallen to about half the pre-war figure, and the greater part of the trade has again passed to Germany. The Fiscal Commission condemned the duty as wrong

in principle, on the ground that, if protection was needed, it should be obtained through an import and not through an export duty, and considered that it had failed in its objects. Recognising the defects of the duty, the Government of India in 1923 reduced the rate to 5 per cent. and abolished the 10 per cent. preference on hides and skins tanned in the British Empire. The retention of the duty in its modified form was due to the need for revenue. The Committee, by a majority, agree with the Fiscal Commission in considering the duty on hides to be wrong in principle and dangerous in its effects."

Sir, before this report in 1923, the then Finance Member of the Government of India moved that the 15 per cent. duty should be reduced to 5 per cent., and in moving that he said that the Government was going to abolish the whole of the 15 per cent. duty. He reduced it to 5 per cent. for revenue purposes only. He made it quite clear at that time that the Government was anxious and determined to do away with the duty altogether.

Now, Sir, there is a misapprehension in the minds of many of my friends that this duty is really giving relief to the tanning industry. What is confusing them is the term "tanning". They think that the Madras people do real tanning. It is not so. They say they are tanners, but they are not. What they do is that they put the raw hides in some solution of lime. They also export hides to other countries just as those engaged in the raw hides trade do. What do the people who are engaged in the raw hides trade do? They bring the raw hide from the country, pass it through a solution of arsenic or salt and lime or brine, and after giving it a preservative effect export it to Europe, in competition with other foreign hides from different parts of the world. As regards the tanners, the real tanners, who tan the hides and convert the raw hides into the real articles of leather, they do not get any relief from the duty imposed on raw hides. I think Government are aware that for the last 6 or 7 years the number of tanners who tan hides in India and turn them into leather is decreasing day by day. In Calcutta, where I come from, there were two big tanneries owned by Bird & Co., and Graham & Co., but they have now stopped work. The object of the duty was that all these hides which are produced in India would be utilised by the tanning industry in India. That is not so. The real tanners buy hides from the slaughter houses and they buy the best of the kind and that also in the wet state. The hides merchants all over the country are penalised by the imposition of this duty. They have got 5 or 6 kinds of hides that come into the market. They are called Arsenicated, Killed, Salted, Common and Crumpled, etc. Out of these only the best Common hides are taken by the Madras people. The tanners who want to tan hides for leather purposes purchase them directly from the slaughter house and pay exorbitant prices which no country in the world can pay for Indian hides. The foreign buyers are not anxious to buy our high quality hides. They produce high quality hides in their own countries and they do not require them from us. That is the reason why the German people take the inferior quality hides, because they have got their secret process of tanning. They have this secret industry just as they have the dyeing industry. They buy this low inferior quality of hides from India, give it an artificial grain and then export it as articles of manufactured leather to different countries of the world. I will show you, Sir, by the figures that I have got with me that if the Government was anxious to give any relief to the tanning industry, Government could have come forward with a measure of protection in the form of a heavy import duty as in the case of Japan which has an import duty

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of 40 per cent. or as in the case of America or Germany where the duty was 20 to 25 per cent. when the tanning business was in its infancy. After the abolition of this 10 per cent. preference duty the import into India of leather in 1923 was Rs. 51 lakhs, in 1924 Rs. 52 lakhs; in 1925, Rs. 56 lakhs; and the export of tanned hides—of course I do not like to use that term: I would call it dressed hides or half tanned; they are not tanned hides in the real sense of the word; the export was in 1921 Rs. 345 lakhs; in 1922, Rs. 469 lakhs; in 1923, Rs. 573 lakhs. In 1923, when they say the effect of the reduction of the 10 per cent. was disastrous, it increased to 573 lakhs; in 1924, it increased to Rs. 690 lakhs; in 1925 to Rs. 708 lakhs and in 1926 to Rs. 716 lakhs. So, Sir, that is the effect of the duty on the trade. The import of boots—that is not given in the import of leather; it is separated from leather—increased from Rs. 10 lakhs in 1922 to Rs. 27 lakhs in 1926. All these imports have increased. What relief can there then be to the leather industry? What relief can the tanning industry expect when these leather imports are increasing? We do not give any protection to the tanning industry. As regards import of belting, leather belting has not increased; it is in competition with wire and hair belting. So, the tanning industry has not been given any relief at all, and the Madras people also do not get any relief at all. They are under the impression that if this duty is abolished, prices will go up and the industry will be crippled, while prices go up with world demand.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Ask for a bounty as well.

Mr. Mohamad Rafique: Now, Sir, I think I have made it clear from the Report of the Taxation Enquiry Committee that the decrease in export has been nearly to half the pre-war figure. Last year, after the motion was defeated, the Government, I remember, suggested a proposal that a cess should be imposed on export of all hides from India. They had a proposal that a cess should be imposed with a view to protect the cattle and fight cattle disease, and for other purposes. Government have not come forward with that proposal, but even if a cess is imposed it will be imposed on people who export raw and half tanned hides, and such cess will be utilised for improving flaying and fighting the diseases. That cess would not give any relief to the leather tanners and they will not be benefited in the least. What I submit is that Government should abolish this hide duty as soon as possible this year and propose an import duty rising to 40 per cent. to give relief to tanners of leather in India.

With these few words I move my motion.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Let me first of all congratulate the Honourable the Mover on his maiden speech. I am very sorry that I am not able to support his contention. Generally you do not find me on the side of Government, but in this matter I think Government have deviated into sense and it is, therefore, my duty to support them in this matter. But I may also point out that Government have not gone sufficiently far. They have got the old rate of 5 per cent. only while I should have expected them to raise it to 15 per cent. taking into consideration the condition of our budget. It would have added a further income of about rupees seventy lakhs if they had raised the duty from 5 to 15 per cent.

Sir, the Honourable Member has specifically mentioned about Madras and the Madras people, and as representing the Indian commerce of the Madras Presidency it is my bounden duty to point out that it will seriously affect our tanning industry. In his desire to push his case too far he has gone to the extent of saying that our industry is no tanning industry at all. He could not find any other word to designate it and did not explain what he meant by saying that it was no tanning industry. Then what it is I should like to know. He is aware that the Madras Presidency is an important part of India which has seriously undertaken this tanning industry, and in order to protect that important industry Government are levying this duty and it is also to the general interests of the country that such revenue should be secured. My Honourable friend has quoted certain figures in support of his contention, but I should say that those figures rather go against him. In spite of the duty the export of hides and skins has gone up both in value and in volume. As such when the hides and skins can bear that duty and add to our revenue I do not see why we should give it up. Besides he is directly interested in hides and he does not care for skins, and he says you might levy the duty on skins but not on hides.

Mr. Mohamad Rafique: It is not a monopoly.

Mr. Vidya Sagar Pandya. The one is as good as the other so far as tanning is concerned. When the duty is levied as an *ad valorem* duty it does not really affect the hides and skins business so much as it is sought to make out.

Then I should like to draw the attention of the House to the fact that last December we had the fifth session of the Indian Industrial and Commercial Congress held at Madras where a resolution was passed to this effect:

“That this Congress is strongly opposed to the idea of altering the duty into a Cess and confirms the Resolution passed in the Calcutta Session of the Congress to the effect that the Export Duty on raw skins and hides be retained and increased to 15 per cent.”

This was a Congress of all the leading Indian chambers and merchants' associations, and the resolution was unanimously adopted. The Association which my Honourable friend represents and which have sent a telegram to every Member of this House, namely, the Calcutta Skins and Hides Traders Association, did not care to send their representative even to defend their position. They did not think it of sufficient importance to put it before the Federation of Indian Chambers. The Indian Chambers are generally very jealous of their own interests; they are not in favour of any sectional interests being furthered. As such if they had thought that the Indian hides and skin business does suffer, they would have duly taken the matter into consideration and urged upon Government the necessity of protecting it. Under these circumstances and in view of the budget position at present, I think the House should negative the motion. If the budget is better next year and a really good case is made out in favour of it, then we might consider.

Sir, I oppose the motion.

Mr. William Alexander (Madras: European): Sir, I would like to say a few words from the point of view of Madras, against the proposals which have been put forward in favour of the abolition of the export duty on raw hides. The Madras tanning industry is a very ancient one and has grown up through many years on account of the ease with which the people who are engaged in it get the materials for tanning,—I may say they are largely of indigenous origin. Again, this industry is very largely an Indian industry. It is financed and controlled by Indians and I say, for that, if for no other reason, the people who are engaged in it have a right to expect the kind consideration and thought of this House and of the Government. Sir, it is a fact that at this moment the industry is labouring under a great sense of injustice brought about by the tremendous difficulties with which it is faced in obtaining the principal articles required in the work, that is to say, raw hides and skins. Sir, the whole trend of thought and movement of late in respect to industry generally in this country has been to support any industry which can be profitably carried on here and keep the raw articles instead of having them taken across the seas and the tanning work done in Britain, America, Germany, France, Italy or any other part of the Continent. To some of us it appears that of late this point has been rather lost sight of in respect to this question of the export duty on raw hides and skins. It does not appear to have been fully considered,—or at least has not been deemed of such great importance as it actually is,—that the shipment of raw hides and skins in such great quantities has taken away a very large amount of work,—and consequently wages, from this country. Take what happened in Cawnpore the other day. I have here a letter, written in February, from a Madras tanner. He writes:

"The tanned hides market at the beginning of this month suddenly slumped very badly which frightened Madras tanners off buying raw hides; this slump coincided with a fall in raw hide prices throughout the world. Hides prices in Cawnpore and Calcutta thereupon fell rapidly, in Cawnpore from Rs. 68 to Rs. 50 per 82 lbs. for the cheap variety of hide usually bought by Madras tanners and ignored by exporters. At this price exporters cleared the Cawnpore market of stocks of this variety before any but a few Madraseses had been able to buy at all."

This is the sort of thing that is going on. He gives other instances but I need not take up the time of the House by giving them. They all tend to show that the trade is badly handicapped. The fact is that the present duty of 5 per cent. is not of sufficient help. It is not high enough owing to the fact that the tariff value has been taken at such a low figure that the 5 per cent. nominal duty really only represents about 2½ per cent. on the basis of actual values during the past year. A few years ago the duty was reduced from 15 per cent. to 5 per cent. That was a very great mistake, and we in Madras believe that it was very largely brought about owing to a misunderstanding as to the actual position. My Honourable friend, Mr. Mohamad Rafique, has just referred to the change in the duty. The position was this. When the 15 per cent. duty came, the British Government held enormous stocks of war surplus tanned hides. Those took a long time to be absorbed and during that period there were all kinds of reports of sales, and threatened sales, in the London market, which knocked the bottom out of the Madras market and brought the business almost to a standstill. This of course affected the raw hide trade also, and the yield from the duty was comparatively small. The export shippers made great capital out of this and were able to induce the Government to reduce the duty from 15 per cent. to 5 per cent. Let me ask who are the buyers of

these raw hides. They are the representatives of American, German, and other Continental firms, and to a smaller extent British firms. Why should Government hesitate for a moment in the matter of raising the duty? The money comes out of the pockets of foreigners who can well afford to pay. The difference between 5 and 15 per cent. represents, as my Honourable friend Mr. Pandya pointed out, about 70 lakhs of rupees and this large sum of money the Government are neglecting to gather in through an entirely wrong conception of the actual position. We do not say, stop this raw hide export trade entirely, but we do say that the attitude of Government should be to tell the foreigner "We are very glad to trade with you but our own people must have our first care. Trading with you under the present conditions is greatly injuring them and we propose to stop this by altering those conditions and in doing this we do not believe that you will find any hardship." Reverse the position. Take any of those countries that are taking away the raw hides from India for tanning. If they had the raw hides and at the same time the facilities for tanning, would they sell to us on reasonable terms? The reply is emphatically "No", not one hide—preventive steps would be taken at once. We say therefore that this Government should not hesitate to take the necessary steps to safeguard an industry on which so many of her people are dependent for their livelihood. Owing to the unfavourable conditions with which he is surrounded the Indian tanner is always short of finance. He cannot compete with the foreigners who think nothing of taking 40 or 50 thousand hides off the market in one morning. The remedy is simple. Let the foreign buyer pay a little more and the Indian tanner would not then have such a desperate struggle to get supplies in his own country. I notice an extraordinary thing in connection with this subject,—in the cut which my Honourable friend Mr. Jogiah has proposed.

Mr. Varahagiri Venkata Jogiah (*Ganjam cum Vizagapatam: Non-Muhammadan Rural*): That is a mistake. I am not opposing you.

Mr. William Alexander: He is a strong brand of Swarajist. What I should like to see is that instead of this matter being dealt with by my Honourable friend Mr. Pandya and myself it should be taken up by one or two of our eloquent and gifted speakers who have such great facility in expressing their views,—like my Honourable friend Mr. Shanmukham Chetty who should take up this matter in the interests of the people of his country and district. I have not much more to say. I think the industry is undoubtedly labouring under great disabilities and it is nonsense to talk of the 5 per cent. duty being abolished. It only means 2½ per cent. really and we in Madras feel so strongly on this matter that we are going to leave no stone unturned and leave nothing undone to get the duty back to 15 per cent. or higher, as we are quite convinced that the raw hide exporter can pay that and still make money.

Sir Walter Willson (*Associated Chambers of Commerce: Nominated Non-Official*): As I have on previous occasions spoken at some length on this matter, I do not propose to repeat those efforts to-day and I will try and be very brief. As the House knows very well I support the view taken by my Honourable friend Mr. Rafique and I do so because of the interests that I represent in this House, the majority are in favour of the abolition of the export duty. Now the point of the majority is this—that the matter is one of province *versus* province. Madras is perfectly right in urging its

[Sir Walter Willson.]

case across the floor of this House and this House is in the position of having to be the ultimate arbitrator as to what is to be done. Well, it gave its vote last year. I hope it will reverse it this year. The point that I think has not been sufficiently emphasised to the House to-day is this. The export trade in hides is not the export of India's best hides. India's tanners use India's best hides and India requires a market for the export of its raw hides. Now, surely the House does not require me to urge further the basic principle that an export duty falls upon the producer, and who is the producer in this case? The agriculturist in the country. The best argument against the case so very well put forward by my Honourable friend Mr. Alexander is that the export duty as it exists has been a failure. It has not succeeded in the purpose for which it was imposed. It has been reduced it is true but still it is ineffective and therefore there is no reason whatever for keeping it on at the expense of the producer—the agriculturist of this country. If Members are interested in figures, they will find that this time last year I gave a series of important figures on page 2641 of the Legislative Assembly debates. I am sure there is no necessity for me to repeat them. Burma, as you know, is on the other side of the Bay of Bengal and Burma's view is as directly contrary to the view of Madras as it could possibly be. The figures of the losses in hides in Burma ought to make you think. I trust therefore, Sir, that the House will support the very excellent maiden speech made by my Honourable friend Mr. Mohamad Rafique.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Mr. President, I am afraid I must oppose the motion moved by my Honourable friend Mr. Rafique. My honourable friend spoke with first-hand knowledge of the subject and I may state at the very outset that I have absolutely no personal interest in the tanning industry.

Sir Walter Willson: Neither have I, if that is the suggestion.

Mr. R. K. Shanmukham Chetty: I did not make the suggestion that you have. But, Sir, this is an industry in which my province is vitally interested. Last year when Government brought forward in the Finance Bill the proposal to abolish the export duty on hides we had a fairly full discussion on the subject, and this House decided that the export duty should continue.

Sir Walter Willson: Would it not be more correct to say that this House was unable to decide that it should be removed?

Mr. R. K. Shanmukham Chetty: My Honourable friend Sir Walter Willson attempted to justify the position that he took up by saying that theoretically at any rate an export duty on an article like hides is unsound. But, Sir, when we are discussing the position of the tanning industry and the export duty on hides it will not do merely to arrive at conclusions based upon theories. I have no doubt that every one in this House would concede that an export duty on an article which is not the monopoly of a country is certainly unsound in principle. But to arrive at a decision on the justification or otherwise of the export duty on hides, you must take the special circumstances of the case into consideration. In 1919, when an export duty of 15 per cent. was imposed on raw hides, that measure was taken definitely with a view to giving protection to the

Indian tanning industry. In 1923, when the export duty was reduced to 5 per cent., my province protested against it. In spite of the protest the agitation set up by the Chambers of Commerce represented by my Honourable friend Sir Walter Willson succeeded in reducing the duty. But, even though the duty was reduced from 15 to 5 per cent., Government have not come forward and said that the time has now come when no protection need be given to the Indian tanning industry, and I maintain that, unless Government is prepared to make out a case for the withdrawal of protection to the Indian tanning industry, there will be no justification for abolishing the export duty that is placed upon hides. Last year Government brought forward the proposal to abolish the export duty and I then pointed out that the proper course for Government to follow in a case of this nature would be to refer the question of the protection of the Indian tanning industry to the Tariff Board, and if the Tariff Board advised the Government that the tanning industry does not require any measure of protection, then the Government would be perfectly justified in recommending the abolition of the export duty. Twelve months have now passed since that suggestion was made and I do not know whether the question has been referred for the consideration of the Tariff Board. I therefore maintain that, unless a case has been made out that the Indian tanning industry does not require protection, this House will not be justified in abolishing the export duty on hides. Sir, last year my Honourable friend Sir Purshotamdas Thakurdas pointed out that the tanning industry is the third largest industry in Indian hands. So far as my province is concerned, it is a very vital industry. There are not less than 500 tanneries, every one of them practically in Indian hands, manned by Indian labour and worked with Indian capital. It would be disastrous to such a vital industry, which affects at least one great province, to abolish the export duty on hides without a deep and searching inquiry into the condition of the industry. Sir, in this connection I would bring one further matter to the attention of Government. I am told that the methods of tanning in Madras have been considerably improved, and the cost of tanning has been considerably reduced by the use of wattle bark which is imported from South Africa. There is now an import duty of 15 per cent. on wattle bark imported from South Africa. Sir, I am sure my Honourable friend Sir Walter Willson will concede that an import duty on an article like wattle bark, which forms such an important factor in tanning, is certainly unsound.

Sir Walter Willson: I will agree with him at once, to save his time.

Mr. R. K. Shanmukham Chetty: I was sure my Honourable friend would agree. Last year my Honourable friend Sir Purshotamdas Thakurdas wanted to bring an amendment to the Finance Bill for the abolition of the import duty on wattle bark, but I was told that he did not make the motion on the assurance that Government themselves were carefully looking into the matter and there was every chance of the import duty on wattle bark being abolished in the very near future. Twelve months have gone by since that demand was made and we have not yet heard anything about it. I do hope that to-day the spokesman of Government will tell us what steps Government have taken in this direction. Sir, since this question has been so thoroughly discussed on a previous occasion it is not necessary for me to go into further details on this motion. I would conclude by reiterating what I said at the outset, that, unless the Government

[Mr. R. K. Shanmukham Chetty.]

by referring this matter to the Tariff Board makes out a case that there is no need to continue protection to the Indian tanning industry, this House would not be justified in abolishing this duty.

Mr. W. S. Lamb (Burma: European): Sir, I rise to give my hearty support to our friend Mr. Mohamad Rafique. I waited with interest to hear the defence of our friends from Madras. I listened with very great interest to what Mr. Alexander had to say and also to Mr. Shanmukham Chetty. I listened with particular interest because I anticipated that at least one of the speakers from Madras would meet the points made by Sir Charles Innes in the debate a year ago. I refer to page 2655 of the proceedings of last March. Sir Charles Innes said:

"But the House may take it from me that in practically every province in India there are tanneries where they work up for local purposes the raw hide. But you have got to remember that India is a very big country. India is a country where the real facts of the matter are that there are vast surpluses, surpluses of hides over and above what can be used in the country. Is there any reason on earth why those surplus hides should not be exported? They cannot be tanned. Are we not to encourage the export of those hides?"

Now, I speak for Burma, to which my Honourable friend Sir Walter Willson has referred. A year ago I gave certain figures and I pointed out that while the exports from Burma had fallen off from 6,000 tons to some 2,000 tons a year, Madras apparently desires to see—well, I am surprised that they have not suggested it—certain railway lines adapted as automatic conveyors so that there should be a steady flow of hides from all parts of India. Such a thing would not do any good to Burma, and as I pointed out, Madras takes yearly some 900 tons only of Burma hides, and the remaining 5,000 tons, they suggest, should pay 15 per cent. or even 40 per cent.! Now, no particular reference has been made to the use of wattle bark beyond the reduction of the duty upon it. In replying to the debate a year ago Sir Charles Innes said:

"There is very much less demand for upper leather for boots. That is one of the main reasons why the Madras industry at the present time is in a depressed condition. What is the other reason? The other reason is deterioration in the quality of the Madras leather. I have got here a representation sent out to us from the Association of Factors, Merchants and Importers of Leather, Hides and Tanning Materials in London saying that unquestionably the quality of these kips is deteriorating "

because of its use of wattle bark. Well, as I have said, neither Mr. Alexander nor Mr. Shanmukham Chetty has dealt with either of those points. . . .

Mr. William Alexander: I would like to explain, if I may, that the question of the dearness of the hides is connected with economic pressure in respect to sales at Home. Keen competition made it necessary for the tanners, as they could not pay the price for the better material, to buy this stuff,—if they want

Mr. President: Order, order. **Mr. Lamb.**

Mr. W. S. Lamb: Well, Sir, if there is anything which is causing the tanned hides to deteriorate, it seems to me that the whole question is eminently one for the Tariff Board, and I would welcome such a suggestion because I am quite sure that with the Tariff Board going into the matter meticulously, as they have done in other cases, such as Steel Protection,

the position of Burma would be shown much more eloquently than could possibly be done by me, and I have not the slightest doubt that recommendations from the Tariff Board would not omit to take into account the fact that Burma should fairly be cut out of this duty.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I wish to address very few words on this motion to-day before this House. My Honourable friend, Mr. Lamb, and my Honourable friend, Sir Walter Willson, referred to several grounds which they urged last year. May I refer then to the reasons with which we met those grounds last year, and as I am afraid this question is likely to develop as a hardy annual, until the Government of India definitely put this on a scientific basis, I do not think it is necessary to repeat those grounds. But there is one point which Mr. Lamb referred to and which I think I would like to say a few words about. Mr. Lamb said that the quality of kips is deteriorating from year to year. That was mentioned by Sir Charles Innes last year too.

Mr. W. S. Lamb: The statement was that the kips were deteriorating.

Sir Purshotamdas Thakurdas: Unquestionably then it is deteriorating from the point at which it was a few years back. The remedy then is not to remove this duty but to see if it can be used for the purpose of improving the conditions under which the hides and skin trade is carried on; and I venture to suggest to Sir Walter Willson that the pertinent discussion would be on his own amendment, No. 11 on the list, instead of pressing for withdrawal of the duty. I do not know what attitude the Honourable the Commerce Member is likely to take on this, but I certainly think, Sir, that it is a most retrograde step to suggest that we should cancel the meagre protection which we are giving to the hide industry in the shape of the 5 per cent. duty and expose the Madras and the United Provinces industry to all the keen competition which we know is going on from Germany and elsewhere. I am sure this motion cannot appeal to the House.

The Honourable Sir George Rany (Member for Commerce and Railways): Sir, when I first cast my eye down the list of notices of motions for reduction I was a little alarmed to see the number dealing with the question of the duty on hides, because it seemed to me that the Members of this House were divided between those who thought there should be no duty and those who thought there should be a much higher duty. That being so they might easily combine to carry the motion for reduction and thereby convey their opinion of the behaviour of the Government. I was a little consoled when I heard my Honourable friend, Mr. Vidya Sagar Pandya, say that on this occasion we had deviated into sense. I should like to point out, however, that on this occasion it is the Government who occupy the central position, and the deviation must be ascribed to those who have deviated from that centre in the one direction or in the other. I derive further consolation from another thought when I recall the history of this question last year. On that occasion, as many Members will remember, the House was equally divided on the question whether the duty should be removed or not, and the question was finally decided, Sir, by your casting vote. If this motion were carried, the House would not only be inflicting a severe censure upon itself, but also some censure upon you, Sir, might thereby be conveyed.

Some Honourable Members: No, no.

The Honourable Sir George Rainy: But I was confident that this House would in no circumstances commit itself to such a view, and I felt that I need not alarm myself unduly by any fear that this motion might be carried. I do not know for what reasons my Honourable friend, the Mover, whom I should like to congratulate on his maiden speech, proposes to make such a very large cut as nine lakhs of rupees for this particular purpose.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhamadan Rural): Because that is the amount of the duty.

The Honourable Sir George Rainy: That idea did occur to me that, inasmuch as he thought that Government were collecting nine lakhs of rupees from the duty which they ought not to have, by moving a corresponding cut in customs expenditure he would thereby relieve them of the same amount of expenditure and make the removal of the duty possible. But I am afraid I must point out that the position is not so, it costs us only a few thousand rupees to collect the duty and if the duty were removed, it would be quite impossible to cut down our expenditure to anything like the extent of nine lakhs of rupees. Now, Sir, the position is just this. It was evident from the discussion which took place last year that opinion was very much divided, and there was a clear conflict of interest between the one side and the other. In those circumstances, Government again reconsidered the whole matter and came to the conclusion that it was their duty to see whether it was not possible to find a *via media* of some kind. Accordingly, last August we addressed Local Governments with the suggestion that there should be substituted for the export duty a small export cess which would be used for the improvements in the methods of flaying and preserving raw hides and also in effecting improvements in methods of tanning, the organization of the trade and so on. It seemed to me that in the peculiar circumstances of the case that was a very reasonable line for Government to take. We have had replies from seven out of the nine Provincial Governments and we are still awaiting replies from two—I think the Punjab and Bengal. When we get their replies, we shall at once take the question into consideration and see whether there is a sufficient measure of support for the suggestion we made to justify us in going on with the scheme. If there is, the next step will be to appoint a small *ad hoc* Committee to examine the question and to make recommendations as to the rate of cess and similar matters. Meanwhile, I think it will be reasonable for this House to recognise that the Government of India are trying, when the House itself is equally divided, to find a course on which all can unite, and I hope that, for the present at any rate, our deviation into sense has also carried us into a position of security. In these circumstances, I hope my Honourable friend the Mover will not press his motion for reduction.

Mr. President: The question is:

"That the Demand under the head 'Customs' be reduced by Rs. 9,00,000."

The motion was negatived.

Sir Walter Willson: Would it be convenient, Sir, if I stated, in view of the remarks which have fallen from my Honourable friend, I shall not later on ask your leave to move motion No. 11.

Continuous Increase in Expenditure.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadian Rural): Sir, I beg to move:

"That the Demand under the head 'Customs' be reduced by Rs. 2,00,000."

My reasons for doing so are that in the detailed estimates on page 2 we find that the budgeted expenditure under this head comes to Rs. 87,23,000, while the revised estimate is Rs. 83,60,000. That means, Sir, that it is provided that an expenditure of about Rs. 4 lakhs should be added. If we compare these figures with the figures of last year, we find that the actual expenditure in 1926-27 was Rs. 79,76,425. The budgeted expenditure is about Rs. 8 lakhs more than the actual expenditure in 1926-27. In 1925-26, Sir, the expenditure was Rs. 66,74,573. In 1924-25 the expenditure was only Rs. 64,17,547. In 1923-24 it was still less, Rs. 60,09,397. In 1922-23 it was Rs. 59,56,640. In 1921-22 it was only Rs. 54,52,904. Thus we see, Sir, that from the year 1921-22 the expenditure has gone higher up from Rs. 54 lakhs to Rs. 83 lakhs, and this year it is proposed to increase the expenditure by about Rs. 4 lakhs from the revised estimate and more than a lakh from the budgeted amount of the last year. I submit, Sir, that the income under this head is rapidly increasing. Besides this I submit that the budget estimate of income this year seems to have been over-estimated, because we have calculated that the income from sugar will go high and from cotton piecegoods will increase by Rs. 30 lakhs and from motor cars by about Rs. 26 lakhs more. The forecast of last year has shown us that the income cannot be expected to be so high. The expenditure under this head is quite uncertain. We do not know what more measures we have to bring before the Government by which the income under this head might be cut down. But the expenditure that has once been incurred will be a permanent one. If there had been a proposal for employing some temporary hands or incurring some temporary expenditure, things would have been otherwise. But here we find that we are budgeting an expenditure of a permanent nature on the strength that the income will be more than that of the last year. At any rate, it does not stand to reason that the expenditure should go on increasing every year under this head. With these words, Sir, I submit that it will be safer to cut down the figure at least by 2 lakhs.

The Honourable Sir Basil Blackett (Finance Member): Sir, I could not follow the figures in regard to previous expenditure given by the Honourable Member.

Mr. Mukhtar Singh: I have quoted them from the Central Board of Revenue Customs Administration Report in India, page 1.

The Honourable Sir Basil Blackett: I think these are the figures of the actual expenditure under this grant. I will give the exact figures which do not greatly differ from the figures given by the Honourable Member and, in any case, entirely support his contention that the expenditure has increased considerably. The expenditure figures which I give show the actual expenditure. They are as follows:

	Rs.
For 1923-24	70,03,467
„ 1924-25	75,67,154
„ 1925-26	80,16,297
Revised figures for 1926-27	81,46,000
Budget figures for 1927-28	86,11,000
Estimate for the current year	87,23,000

[Sir Basil Blackett.]

The explanation of this increase is one which I have examined with some care. Taking the figures for 1923-24, which is the year after the Incheape Committee had reported, as a base, we have an increase of Rs. 17,20,000 to account for. This is very largely explained by certain special items. The first is that we now pay Rs. 1,39,000 to the Post Office for certain services rendered on account of which no payments were made till the year 1924-25. There is a difference of Rs. 3,43,000 in the charge for overtime allowances. This is accounted for both by the higher rates of overtime fees now given and by the changed volume of trade. But it must be remembered that this is not an increased charge on the tax-payer. The overtime fees are recovered and not finally paid out of general revenues. So, although there is an increase of Rs. 3,43,000 in the estimate, that is not an increased charge on the tax-payer for cost of collection. Assignments of compensation paid to Indian States, chiefly Travancore and Cochin, are now shown as expenditure instead of as a reduction of revenue. That accounts for Rs. 5,40,000. Those three items alone account for just 10 lakhs out of the increase of 17 lakhs. There is another big non-recurring item of Rs. 48,000 in the budget of 1928-29 on account of land acquired at Vizagapatam. There is left, therefore, about 7 lakhs of increase to account for—something under 7 lakhs. The most important items which I have been able to lay my hands on are, first, the strengthening of the Land Customs Frontier at Pondicherry and Karikal. This accounts for an increase of one lakh. It is a matter of very considerable importance. The prevention of smuggling has had to be dealt with in that district. Then the revision of pay accounts for Rs. 80,000, additional appraising establishment, Rs. 50,000, additional clerical establishment Rs. 1,50,000, additional preventive establishment about Rs. 70,000, uniform allowance Rs. 30,000, publications which were not charged to this vote in 1923-24, Rs. 60,000.

It will be seen that the bulk of the increase is accounted for by what are really changes in methods of classification. Of the increase of seven lakhs the increased volume of work is really the explanation. For example, the number of bills of entry for Bombay amount to Rs. 180,000 in 1922-23, Rs. 275,000 in 1926-27, Karachi Rs. 61,000 and Rs. 81,000 respectively. On top of all that one has to remember that since 1923-24 the Government of India have adopted the system of discriminating protection and that adds very considerably to the complications of the tariff and to the work that has to be done in collecting revenue. I would remind those members who have served on the Public Accounts Committee that we have all the time had considerable criticism to face in regard to the inadequacy of the internal check inside the Customs Department, and there has been pressure for increase of staff which has indeed only been partially granted. The whole justification of increase must, I think, also take into account the fact that during and just after the War, owing to the demand for officers for other purposes, and to the financial stringency, there was a tendency to try and collect custom revenue with a smaller staff than usual. Then it is to be remembered that in 1923-24 the revenue was 39 crores and 69 lakhs. The revenue estimated for the current year is 48 crores and 63 lakhs, and we hope for a further increase in the next year. I do not think it can be maintained that this Customs branch is being unduly swelled, and I feel sure that any attempt seriously to curtail existing expenditure would be penny-wise and pound-foolish, because we should lose far more

in revenue not collected than we should gain in the slight reduction of expenditure.

Mr. President: The question is:

"That the Demand under the head 'Customs' be reduced by Rs. 2,00,000."

The motion was negatived.

Export Duty on Jute.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I beg to move:

"That the Demand under the head 'Customs' be reduced by Rs. 1,000."

I claim the indulgence of the House for referring to a question which was debated last year about this time. I feel that, representing as I do those people who are instrumental in earning for the Central Exchequer an **annual income of 4 crores**, I would be wanting in my duty if I did not raise my voice against the iniquity which the Government propose to continue by not handing over this revenue to the Government of Bengal or abolishing it outright. I have the advantage of speaking after the Honourable Member's reply to the budget debate, and I have in my hand the press report of his latest enunciation of Government policy in this matter. Sir Basil Blackett says "Either this tax is a bad tax or it is a good tax". But he has not got the patience to tell us as to the processes that have enabled him to arrive at the conclusion that this is a good tax. He says, if it is a bad tax it must be abolished at once. Then he says, if it is a good tax, certainly Bengal has no grievance. Now, Sir, when it is for the Honourable Member to decide this question, it is hardly possible for him to give an impartial judgment in the matter. If, for instance, the Honourable Member were to hold that this is a bad tax, it would mean that his Budget would not be balanced at all—this year he would have to take off the duty to the tune of Rs. 420 lakhs from the Budget. But, Sir, the position which he has taken up with regard to this question is rather curious. He says that if it was left to the Provincial Government and the provincial Legislature to regulate the duty, apart from any question as to whether they are entitled upon other grounds to this tax, then they might be tempted so to vary the tax as to affect ultimately the interests of the agriculturists themselves. My Honourable friend is very anxious that the people of Bengal should be guarded against the potential rapacity of their own elected representatives in the Bengal Legislative Council, because I take it it amounts to that; and he has called upon the Members of this House, the sturdy Members from the Punjab and other parts of India, to assist him in carrying out this self-appointed duty of giving succour to the agriculturists of Bengal against the Bengal Government and the elected representatives of the people of Bengal. Sir, he thinks that Bengal might be tempted to kill the goose that lays the golden eggs, if it were left to Bengal to decide upon a course of action in this matter; and what he does in effect is to ask the Government of Bengal to tend the goose in order that he might appropriate to himself all the golden eggs laid by it. This extreme solicitude on the part of Sir Basil Blackett for the welfare of the Bengali cultivator reminds me of a well-known Bengali adage which says that if a woman professes to love a child more than its mother, surely that woman is a witch.

[Mr. K. C. Neogy.]

Let us now come back to Sir Basil's position. Is it a good tax or is it a bad tax? Sir Basil may say it is a very simple question: jute is a monopoly of India and therefore it is a good tax; that is to say, it is paid ultimately by the foreign importer and it does not fall on the producer who is the cultivator. Now, Sir Basil may have a monopoly of economic and financial wisdom, and may have also the intuitive faculty developed to a very great extent in order to enable him to arrive at this conclusion. But I may remind him that the Fiscal Commission and the Taxation Enquiry Committee—two responsible bodies—have adopted a very cautious attitude towards this question. The Fiscal Commission said that it was very difficult to conceive of any commodity which could be called a monopoly of any country in the strictest sense of the term; and though the Taxation Enquiry Committee pointed out that, so far as the present rate was concerned, there was nothing wrong, they wanted the Government to be very careful before they embarked upon any increase in the duty. I remember to have read some eminent economic authorities who have attempted to define a monopoly. One of them has said that the principal characteristic of a monopoly is that there should be singlehanded control over the total supply. Now, I put it to the Honourable Member as to whether he has at all made any attempt to study the various processes involved in the production and the marketing of jute in Bengal, so as to enable him to come to the conclusion that this characteristic is present to-day in that instance; that is to say, whether the cultivator in Bengal has got singlehanded control over the total supply of jute. I do not know whether my Honourable friend even knows the exact number of people engaged in the production of jute in Bengal. I do not know whether he has cared to inquire as to how competition among the millions of producers tends to force down prices of the raw materials. I do not know again whether he has cared to inquire as to the large number of middlemen that intervene between the producer and the exporter, or the mill proprietor in this country. I do not know again whether he has cared to inquire as to what proportion of the price of jute paid by the exporter actually reaches the cultivator,—because a consideration of all these points is necessary in order to enable him to come to a definite conclusion as to whether jute is really a monopoly of the man who produces it. Sir, I find that this particular question was debated in the Bengal Legislative Council only so recently as the 14th December 1927, and speaking on a non-official Resolution recommending that this tax should be made over to the Government of Bengal, the Honourable Mr. Marr, the present Finance Member of the Government of Bengal, spoke as follows. He said:

"At the very earliest stages of the inquiry by the Meston Committee the question of the export tax on jute arose. The Meston Committee at the outset were prepared to accept without further inquiry the formula that all customs duties should be central on the ground that it was impossible to trace the duties back to source or to make a proper allocation between provinces. We pointed out, however, that this dictum certainly did not apply to the export duty on jute which at that time was about 2½ crores. Since then I may mention it has risen to 3½ crores."

He was wrong there because it has risen further.

"While drawing the attention"

—the Honourable Mr. Marr continued—

"of the Meston Committee to this fact the Government of Bengal based their claim on this ground not on the fact that the export duty on jute should be made over to them but that this factor should be taken into account in arriving at the final financial settlement, on the ground that the export duty on jute encroached on the taxable capacity of the province. We argued that, if the Central Government had not imposed this duty, it might have been open to the Local Government to do so in the shape of an excise duty or in some other way. As all Honourable Members of this House know, however, this factor was not taken into account in the Meston Settlement",

Now, Sir, the Honourable Mr. Marr was repeating the conviction of the Government that the export duty on jute encroached on the taxable capacity of the province. That is the whole point. Not being endowed with an intuitive faculty, as my Honourable friend, I naturally looked in different directions for light in this matter, and I found that recently a very responsible body of men went into these questions along with various other questions. I do not know whether my friend is familiar with these big volumes—there are ten of them—Evidence taken by the Agricultural Commission—ten of them are published, and if my Honourable friend cares to have a little more light on this subject, I might recommend him a study of Volume No. IV and Volume No. X of those Reports. (*An Honourable Member*: "What are the pages please?") I shall give all the reference if my Honourable friend desires it. Now, Sir, I find that responsible officers of the Government of Bengal like the Directors of Agriculture, the Director of Public Health and the Registrar of Co-operative Credit Societies, have all dwelt upon the question as to how far jute was a monopoly and how far the export duty on jute prejudicially affected the position of the cultivator. In dealing with this question one of the responsible officers has made a definite statement that the existing export duties on jute do affect the prosperity of cultivators in certain Bengal districts adversely. Honourable Members will find this statement on page 246 of Vol. IV which contains the evidence taken in the Bengal Presidency. I will just read a short extract:

"The duty on jute is fixed at so-and-so irrespective of price and quality. It has been assumed that, because jute is almost a natural monopoly of Bengal, it can safely stand an export duty and it is argued that this duty is necessarily borne by the consumer abroad . . ."

That is the complacent assumption made by the Honourable Member in charge:

" . . . But this is a fallacy as is shown by the fact that since the imposition of the duty the world consumption of jute has ceased to expand. This latter observation is suggestive of the increasing use of various substitutes for jute. Apart also from the general effect of the duty upon the world demand for jute, the method of levying the duty bears most heavily upon areas producing the cheaper qualities of the fibre. The disastrous effect of this selective action may be traced in the case of the Pabna district where the area under jute has progressively diminished since the duty was imposed."

Now, Sir, I come to the question as to the difference in price as paid by the exporter and the actual cultivator. The difference is calculated by the Director of Agriculture to be 20 per cent. on an average. He says that the difference between the price to the cultivator and the price to the mill in India or the exporter is on an average 20 per cent. The Registrar of Co-operative Credit Societies thinks that the difference stands at a

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higher figure. It is 33 per cent. in his estimate, in the case of lower grade jute. He says:

"The cultivator gets two-thirds of what the exporter of the mill in India pays."

He further points out that a chain of 4 or 5 different middlemen intervene between the producer and the miller or exporter, who intercept this large proportion of the price ultimately paid by the consumer. And yet my Honourable friend says that it is a monopoly. The Indian Jute Association, in giving evidence before the Agricultural Commission, stated as follows:

"Anything that adds to the cost of jute is bad for the trade and for the producers. It encourages substitutes . . ."

My Honourable friend is hugging the delusion that jute is a monopoly, and there is no possibility of there being any substitutes for that fibre. The Indian Jute Association says:

"It encourages substitutes. If the price had been lowered during recent years, I am sure",

says Mr. Sime, Chairman of the Indian Jute Association,

"there would not have been such a large amount of substitution of other things."

Perhaps this will come as a surprise to my Honourable friend. He cannot conceive of any such thing:

"The result of such substitution is that there is less demand for the produce grown in the fields."

On this point there was some valuable evidence given also in England before the Agricultural Commission. Honourable Members will find statements made by Colonel Malcolm representing the London Jute Association as also by Mr. Anderson who is engaged in the jute manufacturing trade in Dundee.

(At this stage Mr. President vacated the Chair which was taken by the Deputy President, Maulvi Muhammad Yakub.)

If you will turn to page 341, Volume X of the Evidence, you will see that Mr. Anderson makes the following statement:

"For a certain period of this past year, hemp was very cheap and they were able to buy hemp yarns, which, of course, are infinitely stronger than jute, and, probably from that point of view might be purchased instead of jute when jute was at a high price. But, another that really concerns jute when prices are high, is the extent of the second hand trade. When jute reaches an abnormal height, then you find that the door is opened again for the second hand trade coming in."

Then our Honourable colleague, Dr. Hyder, who is a member of the Agricultural Commission, put a few questions to Mr. Anderson on this point. He asked:

"You have got competitors on the Continent of Europe?—We have competitors in some of the mills in Austria and Germany."

I expect you know Bischofswiller. Do you know whether anything is happening on the Continent of Europe in this search for substitutes for jute?—No, I have not heard what is being done to-day: but, of course, there have been efforts made from time to time to substitute in the form of paper yarns and so forth.

From French Madagascar, French Indo-China and French West Africa?—You mean the growing of fibre there?

Yes — I do not know about that."

Then Dr. Hyder made the very significant suggestion, "I think you had better look out that way." Mr. Anderson replied, "Is that so?". He was evidently taken aback. Dr. Hyder, it seems, had very valuable information as to how far efforts in the direction of finding substitutes for jute had been successful in other parts of the world. Then, Sir, I come to the evidence of Colonel Malcolm who, as I said, represented the London Jute Association before the Agricultural Commission; he referred to the rise in prices of jute in the years 1925 and 1926 and said:

"The result was a grave danger, not only to the jute trade in general, but more especially to the ryot in Bengal. Very successful attempts were made to grow substitutes in other parts of the world, and a most excellent substitute was produced in Madagascar. The lower grades of American cotton also replaced jute to a very large extent in the United States of America, and considerable quantities of spinning hems and flax tow grown throughout Europe and elsewhere were very largely substituted. That I can say of my own knowledge, because my firm deal in pretty nearly every fibre that is produced and we dealt with very large quantities of jute with the Continent of Europe to replace jute grown in Bengal."

I do not know whether I am tiring the patience of the House, but I submit when you are going to bag Rs. 420 lakhs of jute duty every year from Bengal. I am entitled to engage the attention of the House for some little time on this question. Now, Sir, going back to the evidence given in Bengal, we have the evidence of a gentleman who has spent about 40 years there,—Mr. Morgan, the proprietor of Morgan, Walker and Co., the well-known firm of jute brokers. He referred to the unsatisfactory character of the information about market conditions available to the cultivator, and in reply to questions as to how far the information might be made available so as to assist the cultivator to know the exact condition of the world market, he thought that in the event of his getting all the information with regard to marketing the jute cultivator was not in a position to hold up the jute. Mr. Morgan said that the cultivator was not in a position to hold up jute even if he knew that the market was bearish. In reply to further questions Mr. Morgan said:

"That would depend on his monetary condition at that particular time. But generally he will have to sell a certain portion before the October kist (i.e., the rent payable to the landlord) comes in, there is no doubt about that."

That, Sir, ought to shatter my Honourable friend's delusions about the cultivator being in a position to dictate prices to the exporter and the mill manufacturer in India. Mr. Morgan also referred to the factor of speculation. He compared the conditions obtaining now and the conditions obtaining 30 years ago. He said: "There is a much more speculative element now." Who benefits by all these speculations? Not certainly the cultivator. I do not know whether it is any use on my part trying to convince my Honourable friend that it is not proper and safe to depend upon mere intuition. He had better make an inquiry as to how far his assumptions that the jute tax is a really good tax is correct. If it is a good tax, I submit, you must share it with Bengal; because after all it is the cultivator in Bengal who is assisting you in getting this large sum of revenue every year, a growing sum as the figures show, and that is a point which has been made by every responsible witness before the Agricultural Commission. Witnesses in England were simply amazed at the indifference which the Government of India have been exhibiting in this matter. They cannot understand my Honourable friend's theories about federal finance. Government are making so many crores

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every year. But they do not spend a pice for the betterment of the condition of the agriculturist, for the improvement of the product itself that brings in so much money to the Government of India. The Government of India have every reason to be satisfied with the position as they find it to be, because of the curious constitution which we have got at the present moment. The transferred departments in the provinces have to look to the improvement in the cultivation of jute. They have to look to the improvement in the material condition of the men who cultivate jute. They have to provide for his educational needs. They have to provide for his sanitary needs, and I may mention here that the very process of production of jute, I mean particularly the retting and the reaping of it, tends to bring about insanitary conditions in the rural areas of Bengal. All these problems have to be grappled with by the Government of Bengal, under the curious constitution we have got at the present moment, while my Honourable friend actually bags crores and crores of revenue out of this source. If it is a bad tax, then abolish it. I have absolutely no objection to that, but so long as you do not abolish it, you must certainly share it with the Government of Bengal. In so far as it encroaches upon the taxable capacity of Bengal, you have no right even under the present constitution to appropriate it. Sir, I do very much hope that my Honourable friend, before he leaves these shores, will at least try to do something in the way of instituting at least an authoritative inquiry as to whether it is a good tax or a bad tax. But whatever it is, so long as the tax continues it must at least be shared with Bengal.

The Honourable Sir Basil Blackett: Sir, we have had a long and very interesting examination of the jute export duty by my Honourable friend Mr. Neogy who is nothing if not thorough. He has even gone so far—at least it seemed so to me—as to write the Report of the Agricultural Commission in advance.

Mr. K. C. Neogy: It is public property, only you have not seen it.

The Honourable Sir Basil Blackett: I have seen the evidence but not the Report.

Mr. K. C. Neogy: I mean the evidence, which will form part of the Report.

The Honourable Sir Basil Blackett: I was speaking of the Report, the Honourable Member was speaking of the evidence though he called it the Report. The Honourable Member seemed to be under the delusion that he was answering some arguments of mine and that I was under all sorts of delusions. Now the argument that I put forward in the course of a speech the other day—though I necessarily had to deal with many other things—was a quite short one in regard to the jute export duty. The position I took up, with which I am supposed by Mr. Neogy to differ, was exactly that of the Fiscal Commission and of the Taxation Inquiry Committee, namely, that so far as can be seen at present there are no complaints about the export duty on raw and manufactured jute. The Fiscal Commission said:

“We have had no complaint about the export duty.”

Mr. K. C. Neogy: You have had a complaint from me to-day.

The Honourable Sir Basil Blackett: The complaint by the Honourable Member was not a complaint that the duty was imposed but that the duty did not go to his province:

"This duty does not transgress our principles, for it is imposed for revenue purposes only. It is imposed on a monopoly and the rate is moderate. So long as these conditions remain we see no objection to the retention of the duty."

The Taxation Inquiry Committee said:

"The incidence of the duty is between 4 and 5 per cent. *ad valorem* and no criticism has been made of it. . . . The article upon which it is imposed is a true monopoly."

Now, so long as it is a monopoly it necessarily follows that the duty must be paid practically to the full extent by the foreign importer. But I have again and again put before this House my views about export duties in general. I believe that the American constitution was very wise in laying down the principle that no export duty of any kind should be imposed in the American Union. We have certain export duties here, and so long as they are imposed on pure monopolies or on commodities that are in the position of monopolies there are strong arguments for maintaining them so long as they are required for revenue purposes, and the question of reduction of taxation cannot be taken up very seriously. But the point that I was making was that it is most desirable that so long as they are imposed—take any export duties, I was not referring particularly to jute—they should be imposed by the Central Government and not by the Provincial Governments, and for two reasons. One is that a Provincial Government, if it had the right to impose an export duty, or if it got the proceeds of some export duties, would be tempted to press for the imposition of others with reference more to the local conditions of the province than the interests of India as a whole. The second is, suppose conditions arose under which what seemed to be a monopoly—this was a point I made the other day—ceased to be a monopoly and the duty had to be abolished or got rid of in part, then the burden of getting rid of that revenue and finding some other source of taxation should lie with the Central Government rather than with a Provincial Government, which would be in an impossible position if it suddenly found that an export duty bringing in a crore a year—and in the case of jute a great deal more than a crore a year—was going to disappear. It is most undesirable that you should complicate the necessarily difficult question of getting rid of an export duty the moment that the article on which it is imposed ceases to be a monopoly or threatens to cease to be a monopoly by mixing it up with the question of provincial and central finance. Leave it to the Central Government to get rid of the duty at the first moment when it is necessary to do so in the interests of agriculture. The Honourable Member was I think really wholly unfair in the way in which throughout his speech he misrepresented what I said. That is exactly the point that I made the other day. At the end of his speech I was not clear what was the purpose of Mr. Neogy's motion. He proposes a cut of a thousand rupees to draw attention to the export duty on jute. Whether he proposes to abolish it or to reduce it or to get a share of it for Bengal I was not clear. At any rate we have had the good fortune of hearing a very interesting speech from him on the subject as a result of his motion. If his object is to give it to Bengal, I have already given reasons showing why it is most desirable that we should stick to the principle that all export duties should belong to the Central Government. If his object is to obtain more revenue

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for Bengal, I can only remind him that the question of the revision of the Meston Settlement has got to be taken up by the Statutory Commission, and no doubt the question of revision will arise. The Honourable Member is, I believe, one of those who will have nothing to do with the Statutory Commission in any shape or form, otherwise he might perhaps very usefully have pressed his point before that Commission. Perhaps other provinces will be more successful in pressing their point, or perhaps his own province in his absence will be able to do it; but I cannot at this stage obviously take any step that is going greatly to modify the Meston Settlement. If a modification of the Meston Settlement means, as it apparently does in Mr. Neogy's mind, the withdrawal of more revenue from the Central Government in order to give it to the Provincial Governments, then either the Central Government must find a surplus or it must impose some alternative taxation. I do not know whether the Honourable Member is willing to suggest some additional alternative taxation to the export duty on jute to any extent in order that a part or the whole of the duty might be handed over to Bengal, but I submit that it is clearly not a question of practical politics at this stage to make a large alteration in the basis of the Meston Award and that the matter must be left to the Statutory Commission to deal with. In view of the full discussion that we have had and of the answer which I have attempted to make, I hope, Sir, the Honourable Member will now feel able to withdraw his motion.

Mr. Deputy President: The question is:

"That the Demand under the head 'Customs' be reduced by Rs. 1,000."

The motion was negatived.

The Assembly then adjourned till Twenty-Five Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty-Five Minutes to Three of the Clock, Mr. President in the Chair.

Using the Income derived from the Protective Duties for the general Expenditure of the Central Government.

Mr. Mukhtar Singh: Sir, I beg to move:

"That the Demand under the head 'Customs' be reduced by Rs. 1,000."

The system of using the tariff for the purpose of the protection of certain industries has been very recently adopted, and the Government have been increasing duties on certain articles in order to give encouragement to the Indian industries. It is very unfortunate for this country, Sir, that even in cases when we complain that our industries are in a very bad plight and we approach the Government for the protection of them, the Government makes out a point to increase the revenue out of the protective duties. Not a pie out of those protective duties is spent on the development of those industries. The whole of that amount is taken to the expenditure side and it is practically spent. The first point that I want to make out

is that the very principle is wrong. When you get revenue in order to protect the industries, the first duty of the Government is to use that amount for the development of those very industries. We know, Sir, that every taxation, in whatever form it may be, is a tax on the consumer. It comes from the people and the consumer agrees to undergo that taxation simply in order to see that the industry is fostered. If the Government is allowed to make revenue even out of protective duties, I consider it is a very dangerous policy. It gives an incentive to the Government to receive any amount of applications for protection of industries and then, under the cover of protecting the industries, to increase the revenue. It makes the Government much more avaricious and in no way leads to the desired end. It means, Sir, that the Government do not consider it to be their responsibility to develop the industries of the country. They say that industries are a transferred subject and therefore the development of the industries should not be considered by the Central Government. In this connection, Sir, I may submit that the consumers of the country have been taxed in order to protect the industries and if the Government decide that they should not take up the development of the industries as such because they are "transferred subject," then in that case they could very well give away that amount in the shape of grants to the Provincial Governments or to those Governments which have got those special industries from the protection of which the amount has been realised. But it seems to me very dangerous that the Government do not recognise this important fact that, if a protective duty is levied, the special industry should be developed. We have seen, Sir, while investigating the case of sugar, that the Government increased the amount of import duty. A lot of money was taken, and what has been done for the sugar industry? We know that there was the Sugar Committee's Report, and out of their total recommendations hardly one or two have been carried out. Such instances can certainly be multiplied. There are a number of ways in which the Government could help the industries. The Government has got their experts under the Central Government in order to advise the Provincial Governments on industrial and agricultural subjects. We have seen very recently that in England there has been a proposal for establishing an Empire Marketing Board. In the same way, we could have an Empire Marketing Board in India. There are other ways

The Honourable Sir Basil Blackett: On a point of order, Sir. The Honourable Member is moving a motion for a cut in order that the protective duty proceeds be not applied wholly to ordinary revenue. Protective duties undoubtedly come under this head, but I submit that the general subject of assistance to industries is not in order under this head.

Mr. Mukhtar Singh: I submit, Sir, that protective duties should not be utilised for the general expenditure and I am trying to show that they could be utilised for the development of those very industries from which the duty has been realised. That is the object of my motion to reduce the Demand by so much. I have given only the indication on what lines I wish to speak. So I submit that I am in order in discussing this subject of industries.

We have found that the pulses and grains have no import duties but we know, as a matter of fact, that the grain exported out of this country gets the least price in other markets. Why? Because the Government has not cared to see that the exported articles are sent out of this country

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in the shape and form in which the people of other countries desire them. The articles sent out of this country are not sent in the form in which they are required by foreign countries, and the result is that grain sent out from this country does not fetch the same price in other countries as they ought to do. We find in the recent report on Agriculture in Denmark a sentence reading:

"Denmark's legislation to guarantee the good quality of the wares exported is a very important factor in the development of the export trade."

The Indian Government also should provide for this, but they do not care for the agriculturists.

I may submit for the information of this House that the articles produced by the agriculturists are generally pure and unadulterated, but when they reach the ports they are mixed up with several articles. There being no legislation in regard to their export, Government does not take care how the highest price can be obtained in other foreign countries. We have found that when it suits them the Government provide for all these facilities. We know, for instance, that there has been a Cotton Committee appointed by the Government. When it was found that the cotton trade of Lancashire

The Honourable Sir Basil Blackett: I ask your ruling, Sir, how far this is in order. The subject is somewhat remote from the point we are discussing.

Mr. President: My ruling is that the two questions are so inter-connected that it is almost impossible to separate them. Therefore the Honourable Member is quite in order.

Mr. Mukhtar Singh: Under the Resolution of the Revenue and Agricultural Department, dated September 27th, 1917, the first paragraph reads:

"It has again been brought into special prominence as the result of recent investigations by the Board of Trade which have shown the importance in Imperial interests of increasing the production of this class of cotton within the Empire."

Then later it says:

"In these circumstances, it is obvious that the Lancashire cotton industry, the importance of which to the Empire needs no comment from us, is faced with a serious situation and that it is most desirable that it should cease to be almost entirely dependent on a source of supply, the future of which is so problematical."

We know that the Cotton Committee was appointed since then and there has been a piece of legislation which prohibits the import and export of certain varieties of cotton from one station to another. That shows how far Government could go in protecting the raw cotton industry, though I would submit that it was not also in the interests of the agriculturists to pass that legislation. But this is not the place to discuss that point. I was only submitting that, whenever it affects the interests of England, the Government goes to the extreme and appoints a Committee like that of the Cotton Committee.

There is also a suggestion made in the recent review "The Trade of India" that they are considering to establish a bureau for tobacco. Why?

Because the major portion of tobacco produced in this country goes to England. They have not done so so far, but are considering the problem now from that point of view. I submit that if Government has decided and has conceded that protection should be given to industries in this country, is it not their duty to enquire the ways and means by which the industries of this country can be developed? If it is, then I submit that the amount is there and the whole of the amount that they get out of the revenue should be spent on the development of those industries. In the same report, Sir, we find that the hemp trade has gone down considerably during the year 1926-27, and there is a very important note on page 101:

"Indian hemp is exported largely in the undressed condition as there are few facilities for dressing hemp in up-country centres, such dressing as takes place being done by the shippers at the port. The necessity for better methods of preparing for the market should be realised by both the producer and the middlemen in the trade . . ."

There are a number of suggestions that are annually made by the Intelligence Department. But may I know if any attempt has been made by the Government to inform the agriculturist and the cultivator that the foreign market demands a certain variety of article and that that sort of article should be manufactured? The Government considers that they are living in a country which is full of Englishmen and that everybody knows English and can speak English fluently and therefore they publish all these reports in English. Even the very suggestions that are incorporated in these reviews are not cared to be translated into Hindi, Urdu or other vernaculars of the provinces, because they never care for the development of the industries. They simply want the protection of those industries whenever it suits them or whenever they consider that the English manufacturer does not suffer. Even for the raw material they would not consider it to be their duty to use their experts for the development of those industries. It was only in the last Session, Sir, that we saw that it was considered quite proper that the duty on starch should be abolished. Starch is a product which can be produced in this country in any amount; but still our Government experts have not been able to advise or show to the people that starch can be manufactured in this country. You see, Sir, that the Government do not consider it to be their duty to develop the industries of this country; rather, they consume the entire amount for the general expenditure. That is the case even with protective duties.

We know, Sir, that there is a Tariff Board. The Tariff Board has decided not to inquire into those cases for which an application has not been made; as if it is the duty of the people and not that of the Government to inquire into the ways and means of developing an industry. We saw very recently in the Tariff Board report on belting; they have refused to inquire into the case of leather belting. Why? The subject was quite similar to that of other belting, but they have not considered the point of leather belting at all simply because there was no application for its protection. I submit, Sir, we are living in a country where there are not big capitalists; we are living in a country where there are only cottage industries, barring the big mills at big centres, ordinarily the people are manufacturing very small articles, and the Government do not think it their duty to inquire into these questions. I know, Sir, that when the Steel Protection Bill was brought up for discussion, I moved

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an amendment about the protection of steel trunks and other small articles which are made of steel sheets and which are adversely affected by the protective tariff, and I was laughed at as if the Government did not consider it their duty to protect the small manufacturer. Now, if all the amounts that are realised by the levy of protective duties had been returned back in the shape of rebates or import bounties, then of course there would have been nothing to be said against Government. But when the whole amount is taken to the expenditure side I submit, Sir, it is entirely wrong. I say that it is the bounden duty of the Government to utilise all these big amounts for the development of industries and trade, especially those industries the consumers of which are taxed. Sir, by this motion I want to impress upon the Government the necessity of their doing their imperative duty of protecting the industries and trade, and as they have failed in performing this important duty in this matter so far, I wish to make this motion.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): Sir, there are one or two remarks which have fallen from my friend which give me an opportunity to tell him one or two things that I should like him to know. First of all he said that the increased revenue out of the protective duties was not utilised for the development of the industries. Now, if he had just stopped there, one would have inferred that he meant that having put on a protective duty, you should give the proceeds of that duty back to the industry concerned. But that of course would have the effect of giving protection twice. A protective duty is put on to increase the cost of the imported competing article. That is the way protection is given in the first instance, and I think my Honourable friend could hardly have been so elementary as to mean that the same money should be given back over again.

One point which I did like about his speech was this. He said this was a dangerous thing, that is to say, giving protection by means of tariffs as "it gives an incentive to the Government to increase the revenue." Now, that, Sir, is perfectly true. You must always remember that an import duty does directly fall upon the consumer; it is indirect taxation; but it absolutely comes out of the pockets of the consumers. But there is another danger which, I think, is even more dangerous than the incentive to the Government, and that is, the incentive to this House to vote these protective duties. I have on many occasions in this House spoken in favour of the grant of protection rather by means of bounties. Then we know exactly what we are voting; we vote every year, and the matter is constantly before us. In the case of steel, I particularly recommended that the protection should be granted by means of bounties, but the reason why we did not do it in the first instance was that we had no revenue out of which to grant those bounties; we had not the revenue. Therefore, we created the revenue by putting up the tariff and subsequently voted bounties for steel and other allied industries.

My friend slipped up a little bit in regard to sugar. He complained that the Government had increased the rate of duty. That was not strictly correct. What happened was that the duty was on an *ad valorem* basis and the value of sugar was steadily slipping down. If the Government had not come in at that time with a specific duty, the fall in the

price of sugar would have had the effect of bringing in a great deal less of revenue.

The other point I wish to make is this. I suppose there are few people in this House who are more keen on the development of commerce than myself. But where it comes to a case of taking steps to look after the quality of goods, I say that those steps must in the first instance rest with the trade itself. We have a number of cesses in this country. The tea trade has inflicted a cess upon itself and spends the money for the development of the tea industry. Similarly, the lac trade has a cess, and the Cotton Inquiry Committee, to which my friend referred, really owes its present cess to the initiative of the trade itself. The improvement must come from the trade itself, and I really would like to see a large number of other trades in India forming themselves into bodies and putting on their own cesses for the development

Mr. Mukhtar Singh: Did the cess for the cotton industry come from within?

Sir Walter Willson: That came from within the cotton trade itself. As my friend just said, it is a great pity that there is so much adulteration of Indian produce before export which means that in the European markets it very often fetches a lower price than competing articles from the other side of the world.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, may I ask your ruling on this point? I have got a motion (No. 9), a similar motion, for raising the question of the funding of protective duties on steel and other industries for development of industries. May I know whether I will be allowed to take that up separately or whether I should take it here?

Mr. President: No, not separately. If the Honourable Member wishes to speak, he can speak now.

Mr. B. Das: I should like to speak, Sir.

Sir, I wish my Honourable friend Mr. Mukhtar Singh had confined his remarks only to the funding of protective duties and the utilising of that money for giving bounties and subsidies to the industries. My friend Mr. Mukhtar Singh referred to agricultural produce which I consider rather as natural produce and which need not be classed as industries. I have already expressed my views on several occasions on this matter and I maintain that agricultural produce, when exported, should have export duties. I believe every article of export from this country should be taxed. Sir, I find that by the protective special duties Government have managed to collect during the last five years revenue to the tune of 20 crores of which only $2\frac{1}{2}$ crores or a little more has been given in the shape of bounties to the steel industry and also the wagon manufacturing industry. This protective duty has been, I think, a blessing in disguise to my friend Sir Basil Blackett in producing surplus budgets. We have given protection to the iron and steel industry, to the paper industry, the cotton yarn industry and one or two other smaller industries last year. I think Government ought to arrive at a decision what the policy of protection is to be, whether in the disguise of protection

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they should appropriate the income to their deficit budget and then spend it in any way they like or whether protective duties should be earmarked and set apart for the development of industries in spite of Industries being a transferred subject, and where they are transferred, whether the money should be distributed proportionately to the different provinces for the development of industries. My Honourable friend the Commerce Member has recently introduced another system of protection, namely, equalising the duty on the raw produce and the manufactured article and thereby giving protection to the particular industry that he is anxious to protect. In countries like the United States and Japan which may be said to have national Governments, they generally give protection by bounties and by subsidies. In India, unfortunately, no industry at present can expect any subsidy from the Government owing to the system of alien Government we have. It is unnatural that money should be collected specifically for the purpose of protection and should then be spent in any way the Finance Member likes. This is a dangerous, vicious and pernicious principle. I would ask the Honourable the Finance Member before he leaves us to institute a scheme of funding of protective duties. What he has spent up to now he cannot reimburse. But there will be at least Rs. 2½ crores collected as protective duty during the year 1928-29. Instead of taking it to the Reserve Fund or to any other fund, this can be set apart and a reserve fund created for the future protection of Indian industries.

- **Mr. N. M. Joshi** (Nominated: Labour Interests): I am glad that the feeling in this House is gradually veering round to the view which I have always held about protective duties. I have never considered the levying of import duties as a very good method of protecting an industry, but if we levy protective duties it is always better that we should not hand over that money to Government for its ordinary use. When the Steel Protection Bill was under discussion last year in this House I suggested that the income from the protective duties should be funded as my Honourable friend, Mr. Das, suggests now. The only difference is that I had suggested that the industry does not consist of merely those people who invest their capital, but it also consists of people who work in that industry, and I therefore made the suggestion that all the monies that Government collect out of the protective duties should be funded and utilised for the protection of the workers. You may know that Government has now to undertake several measures for protecting workers, such as, starting health insurance, unemployment insurance, old age pensions and so on. Government is sure to require money for the protection of industrial workers and I suggest that by funding the amount collected from protective duties for the purpose of starting sickness insurance, unemployment insurance and old age pensions, the interests of the industries will be very well served.

The Honourable Sir Basil Blackett: If I had known of the wide field that was to be covered by this motion no doubt my Honourable friend, Sir Bhupendra Nath Mitra, would have come here ready to spend some hours in telling the House what has been done in the matter of assistance to industry generally. I cannot help feeling that there is a certain amount of misapprehension. My Honourable friend, Mr. Das, seems to think that

the whole of the revenue that we have collected from the protective duties was due to protection. He seems to forget that the greater part of the sum collected is in place of the previous revenue duty, and only a very small portion of the total named by him is really due to protection. If we take a duty like the sugar duty, how much of that is protective, if any? It was imposed for a revenue purpose, but in fixing it at the present figure we definitely had a protective purpose. The motion seems to suggest really that we should spend considerably increased sums on the development of industry in this country; that is all that is really behind the motion. Even supposing it was decided that we should spend considerably large extra sums on assistance to industry the question of the precise amount we collect each year by way of protective duties would, I submit, be quite irrelevant. The question before the House would be how much, having regard to the available finances and the needs of industry, can India afford to spend by way of bounty or otherwise on assistance to industry? A protective duty or a revenue duty which has partly a protective result must quite clearly go to the ordinary revenues. There is no greater commonplace in questions of finance than that you should, as far as possible, keep one general consolidated fund and not a whole lot of separate funds out of which you pay for this, that and the other special expenditure. The proposal of my Honourable friend, Mr. Mukhtar Singh, is therefore. I think, simply a motion that considerably increased expenditure should be incurred by Government on assistance to industry, and, if that were so, considerably increased revenue would have to be raised. The fact that we are raising a certain amount from the consumer of steel in order to protect the steel industry is not, I submit, a strong reason why we should tax him extra for assisting any other industries. That is really what the argument comes to. The question whether and how far additional assistance should be given to industries is an interesting one and a great deal might be said on both sides. On the very narrow question I have some sympathy with the Honourable Mover of this motion. It is not desirable that the finances of the Central Government should be dependent to any large extent on revenue from a protective duty especially as protective duties are being imposed not with a view to their remaining for all time but for a definitely short period. If you have two crores a year coming from one particular duty, which is imposed for a period of five years with the idea that at the end of the five years the industry will be able to stand on its own legs and the duty could be abolished obviously you are not in a very safe position, and it is not desirable that the Central Government's revenues should be dependent on that source of income to too great an extent and it is clearly a temptation to keep on the protection after it has ceased to be necessary, simply for the sake of revenue. I do not propose to enter into the pros and cons of additional assistance to industry because I have not come prepared to do so and I do not think that the opportunity really arises. I must oppose the motion and I submit to the Honourable Mover that his purpose has been served by moving his motion and it would not be served by his separating out, in so far as it was possible, revenue that we get from protective duties and asking the Government to propose equivalent additional taxation in its place.

Mr. President: The question is:

"That the Demand under the head 'Customs' be reduced by Rs. 1,000."

The Assembly divided:

AYES—36.

Aiyangar, Mr. C. Duraiswamy.
Aney, Mr. M. S.
Ayyangar, Mr. K. V. Rangaswami.
Belvi, Mr. D. V.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Das, Mr. B.
Das, Pandit N. lakantha.
Dutta, Mr. Srish Chandra.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Jayakar, Mr. M. R.
Jogiah, Mr. Varahagiri Venkata.
Joshi, Mr. N. M.
Kartar Singh, Sardar.
Kidwai, Mr. Rafi Ahmad.
Lahiri Chaudhury, Mr. Dhirendra Kanta.

Lajpat Rai, Lala.
Mehta, Mr. Jamnadas M.
Misra, Mr. Dwarka Prasad.
Mitra, Mr. Satyendra Chandra.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Naidu, Mr. B. P.
Neogy, Mr. K. C.
Phookun, Srijut Tarun Ram.
Rang Behari Lal, Lala.
Shervani, Mr. T. A. K.
Singh, Mr. Narayan Prasad.
Singh, Mr. Ram Narayan.
Sinha, Kumar Ganganand.
Sinha, Mr. Siddheswar.
Tirloki Nath, Lala.
Tok Kyi, U.

NOES—42.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Ahmad, Khan Bahadur Nasir-ud-din.
Alexander, Mr. William.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.
Ayangar, Mr. V. K. Aravamudha.
Bajpai, Mr. G. S.
Blackett, The Honourable Sir Basil.
Bray, Sir Denys.
Chatterjee, The Revd. J. C.
Chatterji, Rai Bahadur B. M.
Cosgrave, Mr. W. A.
Couper, Mr. T.
Courtenay, Mr. R. H.
Crawford, Colonel J. D.
Crerar, The Honourable Mr. J.
Dakhan, Mr. W. M. P. Ghulam Kadir Khan.
Dalal, Sardar Sir Bomanji.
Graham, Mr. L.

Irwin, Mr. C. J.
Kabul Singh Bahadur, Captain.
Keane, Mr. M.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra Nath.
Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Roy, Mr. K. C.
Sams, Mr. H. A.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Sykes, Mr. E. F.
Taylor, Mr. F. Gawan.
Willson, Sir Walter.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

Policy: Viramgam Customs Cordon.

Mr. B. Das: Sir, I rise to move:

"That the Demand under the head 'Customs' be reduced by Rs. 100."

Sir, in connection with this motion I am between the devil and the deep sea. I know I have to discuss matters that are forbidden to be talked in this House. I know I have to discuss the Indian States here.

But I have to do my duty to my country. The Central Government, it is said, is losing a certain part of its revenue through the smuggling processes that are carried on in these Indian States. If I interfere with the paramount smuggling rights which these Indian States may have possessed, I have to do it with a sense of injustice and encroachment of the sovereign rights of the Government of India. I have a passage in my hand very kindly given to me by my friend Mr. Duraiswamy Aiyangar where in the Proclamation, by which Queen Victoria gave certain paramount powers to these Indian States, it is said:

“We desire no extension of our present territorial possession, and while we will permit no aggressions on our dominions or our rights to be attempted with impunity, we shall allow no encroachments on those of others. We shall respect the rights, dignity and honour of the Native Princes as our own.”

Well, so far as I understand the position of the Government of India, I understand the Government of India is the paramount power over these Indian States and they shall not enjoy some of the powers and rights that are fully enjoyed by the Government of India.

Sir Denys Bray (Foreign Secretary): I rise to a point of order. As far as I am able to follow the Honourable Member, he appears to be discussing matters affecting the relations of Government with Princes and Chiefs under the suzerainty of His Majesty.

Mr. B. Das: Sir, I am going to discuss the customs policy of the Government of India, and if I slightly discuss the customs of the Indian States. I cannot but help it.

Mr. Deputy President: Go on, Mr. Das.

Mr. B. Das: There is a territory known as the Kathiawar States which contains about 200 to 300 small and big Indian States. Until a few years ago there was a customs cordon along its land border which inflicted great hardship on the people. It was due to the broad humanity of Mahatma Gandhi and his agitation on his return from South Africa in 1916-17 that that inhuman hardship to railway passengers and to the people that live on the borderland of those small States was abolished. But recently the Government, without coming to this House, slyly entered into a contract with some of those Indian States and allowed them to develop their ports where ships can bring in goods and the States were allowed to levy customs duty equivalent to that prevalent in British India; and of course it was expected that the States would levy the full customs duty and would enjoy the benefit of this customs duty. But what happened? It is a matter of common knowledge that in the Kathiawar States there are two ports, Bhavnagar and Jamnagar. While in one port sugar was quoted at the same price as it was in British India, at the other port sugar was quoted much cheaper, and the same thing happened to silk and other commodities and it is a matter of common knowledge—of course we will soon hear from the Government side as to how far it is true—that a rebate was being given to the merchants importing the goods by one or two ports situated in the Indian States of the customs duty. I was told by a friend of mine that another port which has been developed by His Highness the Geakwar of Baroda—Okha—suffered terribly, because nobody likes to import goods through Okha port as they do not get any rebate from the Baroda Government which is rather a civilised Government. Sir, although the Honourable the Finance Member does not want us to discuss the policy of the Indian States in this House, the Honourable the Finance Member had to

[Mr. B. Das.]

introduce a customs cordon at Viramgam. So far there has not been introduced the same terrible and the same inhuman suffering to the travelling public as it was in 1916-17. But who knows it may not come again? I was travelling in that part of the country last November and I was unnecessary troubled and inconvenienced—though slightly. My luggage was not allowed to be taken in the brake van because I did not come to the station one hour before the time and I did not declare what there was in my trunk and whether it contained pieces of silk or something else.

Sir Walter Willson: You broke the law?

Mr. B. Das: It is a bad law and I want it to go. This is what is happening. Personally I think the Government of India should not part with the power of levying duties and customs duties and they should not give that power at all to the Indian States without consulting this House. I was looking into an interesting book of the Central Board of Revenue, Review of Customs Administration (1925-26). There I found no mention of the Kathiawar States. I found Persia, Afghanistan, Kashmere. The Kashmere State is allowed to get remission of duty when it imports anything for its own purposes. Nepal and Siam are mentioned. But I do not understand how the Kathiawar States try to get sovereign rights to levy customs duty and then allow their people to smuggle goods to British India by giving them half the rebate, which is indeed a most corrupt practice. Last year it was given out in the Press that some of the steamers that came to Bombay carrying sugar and other things were induced to divert their journey to these ports situated in Indian States, so that merchants can get a certain rebate. I think this is a very corrupt practice. This House has the right to know what is the underlying policy of the Government of India and why these Indian States should be allowed to play in this way with the revenue of the Government of India. The other day I read the news that the Maharaja of Nabha has been declared by law to be only Mr. Gurucharan Singh.....

Sir Denys Bray: Sir, I rise to a point of order.

Mr. Deputy President: That is not the point.

Mr. B. Das: I am developing my point. We allow rebate of customs duty to a certain state by treaty rights. Why should not the Government sit on that State and penalise the Rajah or Maharajah in the way that the law permits for violating treaty obligations and incidentally making Government of India lose their revenue? That is all I want to submit before the House and I would like to know what the policy underlying this Viramgam customs cordon is.

Mr. Jamnadas M. Mehta (Bombay City: Non-Muhammadan Urban).—Sir, I beg to support the motion of my friend Mr. B. Das, but I differ in some respects about the facts to which he has made reference. So far as facts have been published it has not been brought home to the administration of an Indian State in Kathiawar—whether it is the port of Bhavnagar, Porbander, Veraval, Dwarka or Jamnagar—it has not been brought home to any State that it is giving any rebate. There have been rumours, there has been some sort of plausible evidence; but short of that we know nothing definitely and clearly to the effect that any Indian State in Kathiawar is giving rebate. It is all based on hearsay, suspicion and gossip, and for that reason alone what are we doing? We are penalising not the States,

but also the subjects of Kathiawar. There are nearly 30 lakhs of people in Kathiawar.

Sir Denys Bray: I rise to a point of order. Surely the Honourable Member is now discussing the affairs of Princes or Chiefs and discussing also, as far as I can make out, the administration of the territory of such Princes or Chiefs.

Mr. Jamnadas M. Mehta: I have not the least intention of discussing it. What I am saying is this that these 30 lakhs of people who have occasions to travel beyond Viramgam are penalised for the sins, real or supposed, of the rulers of the States, and the question is whether it is desirable that we should so penalise them. Let it not be imagined that Viramgam is the only place where this customs cordon exists. Viramgam is the biggest railway station along the cordon and therefore it figures so prominently, but as a matter of fact, the customs line is drawn along a distance of 200 miles, if not more. And people who travel from one side to the other, particularly those who come from Kathiawar side into British territory, have got to be watched and they do get harassed at various points along this whole line. I am free to admit that so far as Viramgam station is concerned, things are not so bad as they used to be before 1917. Passengers who have come to-day to Delhi tell me that, so far as Viramgam station is concerned, there is no serious harassment, but the question is not confined to this station. It refers to a length of 200 miles where people have to cross and recross the border several times a day. People living on one side of that line have houses, property and relations on both sides of the line. In fact, they are in constant and intimate communication with people on the other side of the customs line. Every day, along the various outposts this crossing over does take place continuously and we are principally concerned with the people on both sides of the line and not with Viramgam alone.

Further, Sir, there are three or four important places of pilgrimage to which people of British India go in Kathiawar. There is Shrutrunjaya, Dwarka, Porebunder and Patan. We, who live in British territory, have occasions to go to these places of pilgrimage. We have no intention whatsoever of doing any trade or business there, and yet simply because we happen to have gone there, the Viramgam cordon comes in our way. Because we go on a pilgrimage and have got some articles with us, we have to pay customs duty again and again on account of the existence of this cordon. I do not see any justification why pilgrims should be penalised in this manner. Government has recently made it impossible for the Jain public to go on a pilgrimage to the holy Shrutrunjaya. I will not discuss this subject as I am afraid my Honourable friend Sir Denys Bray would again rise and object but I do say that the Shrutrunjaya decision is an act of gross political injustice to our brethren the Jains; that is by the way. But so far as Porebunder, Patan and Dwarka are concerned, they are places where pilgrims go in thousands every year and they should not be penalised on account of differences between the Indian States and the Government of India.

Then, Sir, it is not merely the maritime States of Kathiawar that are penalised. I can understand this barrier against the people of the maritime State like Porebunder or Jamnagar or Morvi, which are three important maritime States in Kathiawar. But I cannot understand how in the name of justice you can ask the people of Rajkot, people of Gondal, and

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people of a hundred other big and small States in Kathiawar to pay you customs duties simply because these latter States are to the west of the cordon just as Veraval, Morvi, Jamnagar and Porebunder are. And yet thousands of innocent people are being penalised on the ground of the supposed loss of revenue. We were told last year that the loss was over a crore of rupees. This year we find in the Budget that the said loss is not more than a few lakhs. I should like to know the correct figure. In any case I cannot understand why people of non-maritime States of Kathiawar should be visited with punishment for the supposed sins of the maritime States. That is the real trouble. Before 1917 the Viramgam customs cordon was the nightmare of the people of Kathiawar. In fact, no man, woman or child was safe when passing that cordon. At dead of night or early in the morning, in hot weather or in torrential rain, if you had to cross the Viramgam cordon you were undone. All your kit had to be opened, your trunks, bags, refreshments, baskets must be opened, lest you might be carrying smuggled goods.

Sir Walter Willson: I thought you had not got all those things!

Mr. Jamnadas M. Mehta: Is it your complaint that I still exist at all? Do you wish us not to live at all? (Laughter). But I must return to the Viramgam cordon. What little we had was subjected to examination by nearly fifty policemen standing like so many messengers of death. (Laughter). I am asking Sir Denys Bray to believe me, that this is a perfectly true statement. People were terrified for their very lives at the sight of these policemen at Viramgam. I can vouch from my own personal testimony about this. When I was a student I had occasion to go to Bombay for examination purposes, and this spectacle of policemen acting as terrorists still haunts me. Women who had ornaments in their boxes would put them on. All passengers had to get out of their compartments; and the Viramgam station was daily a scene of scattered goods taken out of the boxes and ruthlessly thrown out. These policemen were a perfect terror to the people of Kathiawar, and our fear is that the same conditions may be revived. Cries of harassment have reached us from persons travelling across the border. In 1924, I had the privilege of pointing out the dangers which attended a cordon line like the one at Viramgam, and it may be said to the credit of Sir Basil Blackett that for once in a way he accepted my suggestion and he did then drop a particular piece of legislation. I want a similar thing to be done now. The administration of the cordon should be carefully watched by Government so that the harassment, which was the order of things in 1917, should not be repeated in 1928.

If Government must have a cordon between Kathiawar and British India let it be worked with as little harassment as possible and with the utmost solicitude for those people who do not belong to the maritime States of Kathiawar. For these reasons I support the motion of my friend, Mr. Das.

Sir Purshotamdas Thakurdas: I am glad, Sir, that this motion moved by my friend, Mr. B. Das, gives me an opportunity of saying a few words on a subject to which I referred at least twice during the budget debate last year. My first duty is to congratulate British India, and if I may say so, parts of Indian States of India on the very important step which the

Government of India chose to take about June or July last in imposing the Viramgam Cordon. None, Sir, likes artificial customs cordons, least of all a merchant. But I have not the slightest hesitation in saying that while my friend Mr. Jamnadas Mehta may not have any convincing proofs of smuggling, innumerable instances can be quoted, which cannot be challenged from the commonsense point of view, as to what was happening at some of the ports in Kathiawar. Matches imported at certain ports in Kathiawar—I will not refer to any port by name in order that Sir Denys Bray may be spared the trouble of interruption—matches received at one port in Kathiawar sold cheaper at or near Madras than matches imported at Madras. Sugar imported at a port in Kathiawar sold cheaper in and about Cawnpore and in the neighbourhood of Calcutta than sugar imported at Calcutta. What is the good of saying “Where are the instances of smuggling?” I admit that the Government of India unfortunately were either not in a position or did not wish to institute an inquiry. But now that what is known as the Butler Committee is likely to examine this question, it is of the greatest importance, Sir, that this House should definitely stand by the Government of India in the step that they have taken, and if I may venture to say so, we should congratulate the Government of India and the Honourable the Finance Member on the firm hand with which they did what they did after the Abu Conference last August.

Sir, apart from the question of revenue,—not that it is a small question—my strongest object in taking a definite lead in this matter now that the *laissez-faire* policy threatened to undermine commercial morality in India. Very soon after my return to Bombay from Delhi last year, I was approached by at least a dozen merchants who, I know, have the highest sense of integrity and who carried on their business for very nearly a quarter of a century and more on lines which cannot possibly be reproached—they definitely came and gave me proofs and said, “Our business here in Bombay has been ruined. Would you advise us to go and try somewhere else on terms which we are offered, or what is it that you think we should do?” After having seen those proofs,—obviously I cannot give the House anything more than my word for it—I, Sir, ventured to lead a deputation to the Honourable the Finance Member in June last and I wish to-day unequivocally to say that in taking the step which the Finance Member subsequently took, he has served the best interests of British India and the British Indian tax-payer. My friend Mr. Mehta asked for some figures. I hope that it is possible for Sir Basil Blackett to give the figures. I will only refer my friend to one single sentence in the budget speech; I know that Mr. Jamnadas Mehta studies the Budget very closely and cannot have overlooked it. I am reading from paragraph 4:

“The stopping of the leakage in Kathiawar may be given as an important reason for improvement in our figures (customs revenue).”

That one sentence, Sir, contains a lot for Mr. Jamnadas Mehta. I do not expect the Honourable the Finance Member to dwell upon it at greater length than he has chosen to do in his speech, I say that in this one sentence the necessity of the Viramgam Cordon line has been fully recognised and vindicated. I go further and venture to submit, Sir, that if the Viramgam Cordon is removed hereafter without a reasonable, practical and just understanding between the British Government and the Indian States concerned regarding the stoppage of this leakage, we in this House would have a grievance against the Government of India.

Mr. Jamnadas M. Mehta: What about the harassment of the people?

Sir Purshotamdas Thakurdas: Yes, I will now take up that point. Sir, regarding the question of harassment of passengers at Viramgam, my Honourable friend Mr. Jamnadas Mehta narrated to us some harrowing experiences of his prior to and till the year 1917. I do not think the House would like me to deal with that at present. All that I wish is, may Mr. Jamnadas Mehta and Kathiawar never see a repetition of those harrowing experiences.

Sir, very soon after I came up here this time I received two or three fairly full letters from Mr. Amritlal Seth, Editor of the *Sourashtra*, a leading paper in Kathiawar, drawing my attention to grievances exactly identical to those which my friend Mr. Jamnadas Mehta has narrated to us to-day. The complaint was not of any hardship at Viramgam. The complaint was—and that is what my Honourable friend referred to,—that there was hardship experienced in the other villages near the Cordon line in the Dholka and Dhanduka talukas. Immediately on receipt of that letter, I, Sir, consulted the Honourable the Finance Member, and at his request I saw Mr. Lloyd of the Central Board of Revenue. Mr. Lloyd immediately wrote to the officers concerned about this matter, and about ten days back I saw a letter from Mr. Amritlal Seth saying that every one of the complaints about which he had written to me had been looked into, and met as far as possible. Sir, I wish to warn my friend Mr. Jamnadas Mehta and others who may hold the same opinions as he does—and I fully sympathise with those views—against one thing. There is, Sir, human nature being what it is, a natural tendency on the part of those interested in getting the Viramgam Cordon removed to have agitation set up in the names of helpless passengers at Viramgam. Let us beware of that. The monetary interest is not of a few lakhs or tens of lakhs; but it may run into crores. The temptation is enormous. Sir, let us beware of any artificial agitation set up in the name of helpless passengers. I have great faith in my friend Mr. Amritlal Seth and his noble band of volunteers who are trained to do social work of the highest order and in an efficient manner. They are always on the alert, because I know that Mr. Amritlal Seth has been accused of being instrumental in agitating for the imposition of the Viramgam Cordon line. Mr. Amritlal Seth has his home in Kathiawar and is therefore very anxious . . .

Mr. Jamnadas M. Mehta: He lives not in the heart but on the border of Kathiawar.

Sir Purshotamdas Thakurdas: His home, I understand, is in Limbdi.

Mr. Jamnadas M. Mehta: But he lives in Panpur.

Sir Purshotamdas Thakurdas: True. Although you live in Bombay, your sympathies are naturally with your home. (Laughter).

Mr. Jamnadas M. Mehta: That is quite true.

Sir Purshotamdas Thakurdas: I do not say that any word of Mr. Jamnadas's speech is actuated by partiality. I am only telling my friend Mr. Jamnadas Mehta that Mr. Amritlal Seth is in the same position as he is. I personally have confidence in Mr. Amritlal Seth's anxiety to see that no passenger is harassed. I therefore feel, Sir, that too much should not be made of any stray complaint which one may hear. I am also satisfied

from the way in which Mr. Lloyd dealt with the last complaint—and it was not a complaint about one or two items but about several items—that the Central Board of Revenue are very anxious to avoid any harassment of the kind that existed in 1917. Nothing more, Sir, can be expected from the Government. It is a game that is being played. I have no doubt that the Government of India did not start the game. It started somewhere else. The Government of India almost sacrificed the revenues of the Indian tax-payer for 18 months, if not 2 years. Some of us complained about it. A game can always be played by both and it is not now for anybody on the other side of the Viramgam Cordon to say that he finds this uncomfortable. I do not know, Sir, because we were not told, what was decided at the Abu Conference; nor do I wish the House to know anything about it beyond what the Indian States concerned would like us to learn. All I say is, may the Government of India continue to look after the genuine interests of the Indian tax-payer and continue to prevent any sort of effort at smuggling until things are set absolutely right. I wish again, Sir, to say that if the approval of this motion should mean a vote of *confidence* in the Government of India for what they have done, I will vote for it. Otherwise I do hope that this motion will be withdrawn. I am very glad, Sir, that the question has been raised because it was necessary to have the atmosphere cleared especially in view of some of the impressions which my friend Mr. Jamnadas Mehta has done well to mention in this House.

Sir Walter Willson: I was, I believe, one of the first to raise this question in the House, followed afterwards by Mr. Roy and my friend Sir Purshotamdas Thakurdas, and I do not wish to be outdone in grace by Sir Purshotamdas Thakurdas in returning my thanks to Government for the prompt and effective measures they took to remedy this wrong.

The Honourable Sir Basil Blackett: Sir, I am extremely grateful to the mover of this motion, who apparently moved it for the purpose not of censuring but of congratulating the Government for what they have done

Sir Purshotamdas Thakurdas: Absolutely.

(At this stage Mr. Deputy President vacated the Chair which was resumed by Mr. President.)

The Honourable Sir Basil Blackett: . . . and to Sir Purshotamdas Thakurdas and Sir Walter Willson for the way in which they have relieved me of any necessity for dealing at great length with this subject. As regards the imposition of the Viramgam line all I need say is that it was absolutely essential in the interests of the revenue of British India and in the interests of the commercial morality of British India. I do not want to be taken as endorsing any of the charges or allegations that may have been involved in the Mover's speech, which I did not quite hear, in regard to any people concerned. But it was absolutely essential in the interests of British India that the cordon should be imposed.

On the second point, Sir Purshotamdas Thakurdas has already explained that the Government of India and the Central Board of Revenue, which is their agent in this matter, are extremely anxious that every possible step should be taken to avoid harassment of the passengers and inhabitants either of Kathiawar or of British India in the neighbourhood of Kathiawar who have occasion to cross the line either by road or by rail. We have

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taken the very greatest care to secure that the arrangement for the working of the line shall cause as little embarrassment as possible to any of those who have to cross the line. I have to recognise with gratitude in this matter that the authorities of the States in Kathiawar have co-operated with the Government of India in securing that, so far as possible, the line shall work with mutual absence of harassment and particular care has been taken to see that there shall be no ground for renewal of complaints that were made in the old days before 1917. I think, Sir, that is all that I need say on the subject while assuring the House that the Government are fully alive to do two things, first, the necessity to insist that, so long as the line is to be there, it shall be worked with the least inconvenience to everybody possible, and secondly, that if an opportunity arises of getting rid of the line in a way that is consonant with the mutual interest of British India and of the States, no one will be more glad than the Government of India to get rid of this internal customs barrier within India which we think should be an economic unit as far as possible.

Mr. B. Das: Sir, I beg to withdraw the motion.

The motion* was, by leave of the Assembly, withdrawn.

Rebate of Customs Duty on Scientific Instruments and Chemicals imported for the bona fide use of Educational and Scientific Institutions.

Mr. K. C. Neogy: I beg to move:

"That the Demand under the head 'Customs' be reduced by Rs. 100."

I have got very little time and therefore I will just say that my intention is to suggest to Government the desirability of granting a rebate of customs duty on scientific instruments and chemicals imported for the *bona fide* use of educational and scientific institutions. I understand that Government have already received representations from prominent educational authorities on the subject. I should like to know what the financial effect of such a relief would be and whether Government would consider the question sympathetically.

Sir Walter Willson: I beg to support Mr. Neogy and draw the attention of Government to the fact that a measure is already before the Assembly for the abolition of the duty on plated medical instruments and I think it might very well be followed in regard to educational instruments.

The Honourable Sir George Rainy: My Honourable friend Mr. Neogy has put his point briefly and I shall follow his example in my reply. He desires that educational institutions should get a rebate of the customs duty paid on certain scientific instruments and things of that sort that they have to import. It is impossible not to feel some sympathy with a request of that kind, because no one wants to make the cost of education higher. I am afraid, however, that the practical difficulties in the way of giving effect to my Honourable friend's suggestion are rather serious. It is entirely contrary to the principles that we try to follow in the framing and administration of our tariff, to accord one kind of treatment to a particular article when it was imported for one purpose and a different kind of treat-

*"That the Demand under the head 'Customs' be reduced by Rs. 100."

ment when it was imported for another purpose. I do not say that there are no exceptions at all, but we always try to steer clear of them as far as we can. It is a very difficult thing to justify an arrangement by which we allow one set of people to import a given commodity without paying the duty and compel other people to pay the duty. My Honourable friend, Sir Walter Willson, made a suggestion which is in line with an aspect of the case already considered by Government. When it appeared that it would be difficult to make a special exception in favour of educational institutions as such, we examined the question whether we could not specify the kinds of scientific apparatus of various sorts which are most frequently imported by educational institutions and exempt them from duty altogether by whomsoever they might be imported. In principle there would be no objection to that, but the difficulty that we found was that we should have to embark on the preparation of a catalogue which would run literally into hundreds of pages. We were advised by educational experts that it was not the case of one or two, or half a dozen, or even a score of articles which were used by schools in this country, but that we should have to start on a long and exhaustive enumeration of a great many things, and we had therefore to abandon the idea. I am sorry not to be able to meet the views of my Honourable friend Mr. Neogy but I am afraid it is not possible for Government to carry out the suggestion he has made.

Mr. President: The question is:

“That the Demand under the head ‘Customs’ be reduced by Rs. 100.”

The motion was negatived.

MOTION FOR ADJOURNMENT.

ANNOUNCEMENT MADE BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF ON THE 8TH MARCH, 1928, IN CONNECTION WITH THE REPORT OF THE SKEEN COMMITTEE.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, in moving the motion for the adjournment of the business of the Assembly for discussing a definite matter of urgent and public importance, namely, the question of the announcement which was made by His Excellency the Commander-in-Chief on the 8th of this month, I wish, Sir, in the first place to draw the attention of the House to a very short history of this question. It was in 1921—I do not wish to go beyond that—that this House passed a Resolution which was accepted by the then Commander-in-Chief, Lord Rawlinson, which ran as follows:

“As soon as funds become available steps should be taken to establish in India a military college such as Sandhurst and the desirability of establishing in India training and educational institutions for other branches of the Army should be steadily kept in view.”

The original Resolution was amended and it was accepted by Lord Rawlinson in its amended form. Sir, I have the greatest respect for Lord Rawlinson. We miss him very much and we shall never forget his memory. I wish he was the Commander-in-Chief to-day. In 1923, an amendment

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was moved by Mr. Burdon on behalf of Government to a Resolution and the Resolution as amended was passed on the 4th July, 1923, as follows:

"This Assembly recommends to the Governor General in Council that he will be pleased to urge upon the Imperial Government the necessity for promptly giving effect to the Resolutions Nos. 7, 8, 10 and 11 of the Assembly passed on the 28th March, 1921, in connection with the Esher Committee's Report with the concurrence of the Government of India."

The House will remember that Resolution No. 7 was passed on the 28th March, 1921. In February 1925 the Resolution of Mr. Raju came up before this House and it ran as follows:

"This Assembly recommends to the Governor General in Council that early steps be taken for starting a well equipped military college in a suitable locality to train Indians for the commissioned ranks of the Indian Army and that the necessary amount be sanctioned to start the preliminary work."

That Resolution was discussed at great length and Sir Alexander Muddiman moved an amendment *inter alia* which in effect was that a Committee should consider whether it is desirable and practicable to establish an Indian Sandhurst. We on this side of the House objected to that form, and said that we had passed that stage long ago. We had passed our Resolutions in 1921 and 1923 which were accepted by the Government that the Indian Sandhurst should be established and the only thing that remained to be done was to see what steps should be taken to establish the Indian Sandhurst. In that controversy Lord Rawlinson very frankly made the following admission:

"The last two speakers have made it perfectly clear to me and I suppose they think they have also made it clear to the House that on the occasion which I accepted on behalf of Government an amendment and a Resolution, both in 1921 and in 1923, I was not quite so well versed in the methods of this House as I am to-day. I therefore propose to go a little more warily now than I did then. I am not going to be caught napping again. Much as I appreciate the amendment proposed by the Honourable Pandit I am sorry it is quite impossible for me to accept it."

Therefore, the Commander-in-Chief on the last occasion, that is, in February 1925, stuck to the position that the question before the Government was whether it was desirable and practicable to establish an Indian Sandhurst. Sir, that being the controversy, it was suggested, I think by me, that it was not possible to settle on the floor of this House whether it was practicable or whether it was desirable to establish an Indian Sandhurst. For the purpose of determining that question you must have an inquiry and a thorough investigation. I think it came from me in the very commencement of the debate that a Committee should be appointed. I then said, "Appoint your own Committee; have your soldiers, have your civilians and have my European friends and have some politicians. But let us thresh this question out thoroughly and then let us see what is the conclusion that that Committee comes to". Then, later on, Sir Alexander Muddiman in March 1925 recognized and said that the time had come when this question must be taken up and he announced that a Committee would be appointed. The Committee was appointed by the Government of India. In the selection of it I had no voice, nor had anybody on this side. They choose eminent soldiers and a senior civilian, Mr. Burdon, a man of great ability, who had occupied the position of Military Secretary to the Government for a number of years. We had on that Committee that great soldier, Sir Andrew Skeen, for whom I have the highest admiration and respect

for his sense of fairness, for his sense of integrity and his honesty—a more conscientious soldier you will never find in any part of the world. (Applause.) Sir, this Committee laboured for 14 months and it submitted its report to the Government of India, or rather to the Viceroy, and after a long lapse of time we heard the announcement about it yesterday. But before this, in the last Session of the Assembly in September, this House, without a division being challenged by the Government, entirely supported the recommendations of the Sandhurst Committee and recommended that the Governor General in Council should take steps to give effect to them. At that time we were told that the matter was under the consideration of His Majesty's Government or the Secretary of State for India. Now, Sir, what is the announcement? The announcement is this, that instead of ten vacancies, we shall have twenty and five—here I would ask my friend, the Honourable the Military Secretary to Government to correct me if I make any mistake, because I only go by the newspaper reports that were available to me—I understand that instead of ten vacancies, they are to be increased to twenty, and five are to be reserved for the Viceroy's Commissioned Officers

An Honourable Member: And six at Woolwich and six at Cranwell. . .

Mr. M. A. Jinnah: That means 37 altogether.

Mr. G. M. Young (Army Secretary): That is not quite correct. Six is the maximum which the War Office are prepared to give at Woolwich and at Cranwell not two, as recommended by the Committee, but a number will depend upon what is necessary to form an Indian Air squadron. We want six in the first year.

Mr. M. A. Jinnah: Therefore I say that the utmost that you can go to is 37 based on the existing system which has been condemned by the Committee.

An Honourable Member: In the first instance.

Mr. M. A. Jinnah: In the first instance, and on Doomsday it will be something more.

An Honourable Member: It will be 38.

Mr. M. A. Jinnah: So that you can go on happily. Now, Sir, that is the announcement. I want to make a statement on the floor of this House, and with all the responsibility, that this conclusion which the Government of India and His Majesty's Government have come to after this long period was practically arrived at by the War Council and was communicated to the Sub-Committee as soon as they arrived there in April-May 1926. There is nothing new in it. It is a camouflage to tell us that this arises out of the recommendations of the Sandhurst Committee after full consideration of the Sandhurst Committee Report which has been under examination for nearly two years. (*An Honourable Member:* "Shame!") I make that statement on the floor of this House and I challenge anyone to contradict that statement. That is the first thing I have got to say.

Now let us see what the position is. The position is that the Commander-in-Chief has given his reasons for turning down the recommendations of the Sandhurst Committee. I do not wish, Sir, to exceed my time limit, and all I say is this, that you will find that practically the whole

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of the recommendations of the Sandhurst Committee, which are inter-dependent and one connected link of a chain, stand together. Our terms of reference, to which I may refer the House for a moment, were as follows :

"By what means it may be possible to improve upon the present supply of Indian candidates for the King's Commission both in regard to number and quality.

Whether it is desirable and practicable to establish a Military College in India to train Indians for the commissioned ranks of the Indian Army."

Now, Sir, the time table, the establishment of a Sandhurst and the co-ordination of the educational institutions in this country are linked together, and you cannot drop one out of it and keep the other without seriously and materially affecting the recruitment of the best materials that you want; the means we have suggested are for improvement of the number and quality. They are not accepted. Then the reasons which we gave for the establishment of a Sandhurst are given in paragraph 35 and I will summarise in one or two minutes what we say. It seems clear that like the progressive scheme of Indianization which we have suggested, this step also is necessary as a means to improve both in number and quality the supply of Indian candidates for the King's Commission. I say now that it is necessary for the supply of candidates. Secondly, we say that India must have a self-sufficient institution for itself, and next we say that :

"on these grounds alone we think it would be sound policy to lay the foundations of an Indian military college as soon as possible and so commence without delay not merely the building of the college structure but the building also of the tradition and sentiment which in India, as in England, would be indispensable to the achievement of success. The process is one which takes time and the start should not be postponed."

And further saturation point will soon be reached, according to the best evidence, at the English Sandhurst and so India will have to start her own institution.

Sir, we are told next that the question of the establishment of an Indian Sandhurst we cannot undertake or decide; when it will be decided we do not know. The next and the most objectionable part of the prominent—and this is the most vital point—is the question of not only the continuance but the extension of the system of the eight units; and, Sir, about the 8 units, I have already said the other day what I had to say. It has not even the grace of the original declaration of the scheme made by Lord Rawlinson, in February, 1923, because Lord Rawlinson at least made it clear in his declaration that when the intake increases of the Indian King's commissioned officers the surplus will be posted to other units. But the Commander-in-Chief now makes it quite clear that that will never happen; that they will start homogeneous units for the increased intake, so that never can an Indian officer command a British officer. He has made that clear. This is, Sir, the 8 units scheme.

Now, Sir, I will say one word and sit down, and it is this. We have been making these efforts for years and years and I did not go into the previous history. Starting even from 1921 it is a history that is no credit to the Government, Sir, and yet the Secretary of State for India, speaking recently, said this :

"Now, my Lords, I approach the present. It has been my duty to talk in the last three years to many distinguished Indians of every faith, every persuasion, every bent of political thought. I have asked all of those who were inclined to be critical

of our attitude in relation to the future constitutional development of India this question: 'Do you desire that the British Army should be withdrawn from India? Do you desire that the Civil Service should be withdrawn from India? Do you desire that the protection of the British Navy should be withdrawn from the Indian shores?' I have never found one Indian, however hostile to this Government, however critical of our proposals in relation to Indian development, who desired that the Army should be withdrawn, or . . . "

Mr. President: Order, order. I must ask the Honourable Member to conclude.

Mr. M. A. Jinnah: I am not going to say anything more except to finish this quotation:

"or that the Indian Civil Service should be withdrawn or that the protection of the Navy should be withdrawn."

Sir, I will only say this, it is simply not true. (Applause.)

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Sir, I just want to make one or two observations about this announcement. My friend the Honourable Pandit Motilal said the other day that the announcement left him cold. I feel just the reverse; the announcement has made me hot. To a certain extent it has gratified me, because the Government of India, or rather that Government which controls our destinies from Whitehall, have laid their cards on the table. Now, we know what they mean by an exclusively British Commission and they have made our task very easy. Just as my friend Mr. Jinnah just now told you that long before the Sken Committee came to its decision, practically the decision of those questions which were referred to the Sken Committee had been arrived at by a certain Council of War, I make bold to say that in spite of the appointment of the Statutory Commission, the decision of the future constitution of India has already been arrived at (Hear, hear), and therefore nothing will be gained by the operations of this Royal Statutory Commission.

Then, Sir, my friend Mr. Jinnah said that his faith in the good faith of the British Government has been shattered. Happily I stand in a better position because never in my life had I any faith in the *bona fides* of the British Government. I do not want to use any strong language, but such a faith is unnatural. Some people may work themselves up on that side or on this side about such a faith. They may be moved by the most honest and the best of intentions, but I make bold to say they are working under a great delusion, and the disillusionment is sure to come sooner or later. No Empire can be built upon such good intentions; no Empire can be maintained upon these good intentions; and therefore any Indian, be he of whatever political complexion, if he places any faith in the British Government and thinks they will give us self-government at any time, is labouring under a great illusion and the sooner he is disillusioned the better. (Applause from non-official Benches.) The British Government will never give us self-government so long as they can help it. Surely they cannot part with their powers in regard to the Army in order to prepare us to defend our homes, because if they do so, they will take away the very argument by which they maintain the continuance of their trusteeship in India. If we can defend our hearths and homes, the principal argument in their hands to deny us the right of self-government and responsible government will be gone. That is the main argument which they advance in season and out of season against our claims for self-government, namely, our inability for the military defence of our country. If

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they were to let us prepare ourselves for defending our country, that argument will be gone. Therefore, the decision of the War Council about this matter is perfectly natural and I was quite prepared for it. I never expected that anything would be done and I am not at all disappointed by the announcement that has been made, namely, that the recommendations of the Skeen Committee have not been accepted. I wish this might serve as an eye-opener to those Indian politicians, whether inside this House or outside it, who constantly harp upon their faith in the British nation or the British Government. By cherishing that faith they only mislead their country. The course open to us is very clear. We have to struggle and work hard by such means as we possess for our emancipation from the foreign yoke. Some good and honest British people like General Skeen may now and then help us with their good intentions, but when these good intentions come to be translated into action, the result would be the same as it has been announced now. Sooner or later they will be disillusioned. Therefore, the sooner my countrymen give up this faith in the British and all the implication of this faith which lead us to hope for things which can never be realised, the better for them. People ought to chalk out their own programme of work in order to get the freedom for which they are struggling. Sir, I read this morning an article in the *Pioneer* in which such arguments as Messrs. Jinnah and Motilal advanced the other day are described as excitement arguments or excitement speeches. Nothing of the kind at all. We need not be excited and I do not think we are excited at all over this announcement, because those of us who have studied the history of England carefully and the history of the British connection with India with some discretion know that there could be no other decision but that embodied in the announcement that was made by His Excellency the Commander-in-Chief the other day. They could not come to any other decision. That decision was only pre-conceived and it has come. Therefore, there is no reason for disappointment; there is absolutely no reason for being excited. The path before us is clear. We have to struggle; we have to make head way; and we have to gain our freedom by our own efforts. I cannot say just at the present moment what these means will be, but I must say that we should not expect any co-operation or any help from the other side in order to get rid of the other side. The position is absolutely unnatural. We want to get rid of the other side and we expect them to co-operate with us to help us in getting rid of them. This is absurd and I do not believe in it. I do not blame the other side for maintaining their position. They have not come to this country to go away as long as they can help it. They have come here for certain definite objects and as long as they can get those objects fulfilled by means which are at their disposal they will not go away, they will not leave us and they will not give us what we want, namely, responsible self-government. All this talk that they want to take Indians in the Navy, in the Army and in the Air Force is not sincere.

Sometimes we are told that we constantly bring in the question of racial discrimination. What else is there in India except racial discrimination. We are told that the British observe no racial discrimination in the Army or the Civil Service or anywhere else which is, of course, not true. I say we want racial discrimination to be observed. We want India to be placed in its proper position. We want all these services, the Army and the

Civil Service, to be manned by Indians for the benefit of India. We want the present state of things to be abolished. Those who say we do not want racial discrimination are only playing the fool; we want it, but we want it in the reverse order, we want it in favour of ourselves. India for the Indians is our war cry, and that is the thing which we are desiring to have. There is no division on this question on either side. We are perfectly frank in placing our cards on the table, and the Government have honestly placed their cards on the table. I must thank His Excellency the Commander-in-Chief for having plainly told us where we stand. We cannot get any advance in our political progress towards self-government without a definite advance which will lead us to an Indian Army. If there is still any Indian in this country who believes that the Statutory Commission can give them any advance, they are simply living in a fool's paradise. The other day my friend, Sir Victor Sassoon stated, and His Excellency the Commander-in-Chief repeated what he said, that an efficient standing army is an insurance for the safety of this country. I say that under these circumstances a standing army officered by British officers is an insurance of our continuous bondage, of our slavery. (Mr. M. A. Jinnah: "And what is more you are paying the premium.") Exactly, that is right. Of course we have to pay the premium, for that is an insurance for the benefit of the British, in order to exploit us. Therefore all this talk is of no use. My friend Mr. Jinnah said the other day (I do not mean to be at all disrespectful to the Commander-in-Chief), the observations about the Army being a nation-building department are nothing but yarns. British troops are maintained at our cost, they are trained at our cost, yet all this is done for nation-building purposes. The British garrison in India is a nation-building department!! Nation-building indeed!! If this is nation-building, then I say, God save us from this kind of nation-building.

I do not want to detain the House, but I just want to add that some of us have not been much disappointed by the pronouncement made by the Commander-in-Chief. We knew it beforehand, and we are very glad that he has told us distinctly where we stand and what estimate we are to put on the intentions of the Government of Great Britain in appointing this exclusively British Commission. We are grateful to the Government for letting us know their intentions, though it is not a very desirable kind of gratitude, but still as human beings we cannot help indulging in it. The reasons I gave for boycotting the Statutory Commission, when I moved a vote of no confidence in that Commission, have come true word by word. I said that one of my reasons was that I had no belief in the good faith of those who appointed the Commission, and no greater proof of that could have been placed before us than this pronouncement of His Excellency the Commander-in-Chief. This is literal proof, conclusive proof that what I said was nothing but the truth, the literal truth, and the whole truth.

Mr. President: The Honourable Member is not disappointed and therefore does not want to censure the Government of India? (Laughter.)

Lala Lajpat Rai: I do, Sir; I cannot do anything else.

Mr. S. Srinivasa Iyengar (Madras City: Non-Muhammadan Urban): Sir, I associate myself with this motion which has been brought specifically for the purpose of censuring the policy which has been announced by His Excellency the Commander-in-Chief. There is not the slightest doubt that

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when the decision of this House was arrived at in Simla, hope was entertained in some quarters—though it may not be by me and by men of my way of thinking—that the Government would come round to their way of thinking and accept substantially the very moderate and unsatisfactory recommendations, as I made it plain on behalf of my party on the last occasion,—of the Skeen Committee. The expected announcement has now been made and it reminds us of the old saying about labouring mountains producing a ridiculous little animal; and we have been treated to a lecture upon Indianisation. I certainly, Sir, yield to none in my admiration for the Indianisation of all and sundry things. But I do believe, the time has come for us to eliminate from our political dictionary this most mischievous and self-calumniating phrase “Indianisation”. We do not want any foreign army here to be called an Indian Army; we want a real Indian Army; we are not concerned with Indianisation or other matters. We want the organisation of the Army, the control of the Army legislation and things like that under our exclusive control; and to that end a very modest beginning was suggested by the Chief of the General Staff, assisted ably by a number of military officers of high rank and also by the Secretary to the Government of India in the Army Department and certain non-official Members of whom my Honourable friend, Mr. Jinnah, took a very leading part. It is obvious that such recommendations as these must have been made so as to be acceptable to Government; it is impossible otherwise to imagine an officer of this responsible position of the Chief of the General Staff, who must have at his fingers’ ends all the minutiae of the Army system in India, would have agreed to this. Nor would the Army Secretary have agreed to it; and therefore we find in that succinct foreword to the Report of that Committee a statement made:

“Although the Committee’s recommendations in themselves are designed primarily with a view to Indian conditions, the problems of recruitment and training of King’s commissioned officers for whatever services are essentially an Imperial concern and any proposals reacting upon them will require close scrutiny by His Majesty’s Government and their military advisers.”

What then is the mockery of having, as it is said, a responsible government in India of a fractional sort and then to be told that the policy is to be dictated by the British Government? It is quite clear that this announcement was made by His Excellency the Commander-in-Chief—I do not say that he was unaware of it because he states it clearly enough in the last part of his speech—as part of the general scheme of the reformed constitution for India which is in the making. His Excellency said:

“The object which we all seek to achieve is to fit Indians to undertake the defence of India. As constitutional advance progresses, the question will continually be asked how far the military side of Indian Swaraj has kept pace.”

I do not propose to go very much into this because I want to keep as far as possible the Commander-in-Chief as a non-party head of the Army, not as a political Minister in charge of the Army Department, which unfortunately is not provided for in the present constitution. But taking, as I say, that view, I say the Commander-in-Chief must be taken to have given expression to the political policy of the British Government and the Government of India. Looking at it in that way, it appears to me quite clear that Lala Lajpat Rai was quite justified in saying that no business was meant by that statement. It is even far worse than the crumbs

thrown on the civil side of the administration. Mr. Jinnah has very properly repelled the insinuation which was given expression to by the Secretary of State in his speech in the House of Lords that the representatives of the people in India want to hug the Army in India to their bosom. (Laughter.) It was stated that if any Indianization were effected, we would be doing harm in India. I say that we do want the Army in India to be withdrawn, and I take this opportunity of stating most explicitly and most firmly that we do not want the British Army in this country. We can defend ourselves to-day. The whole army of occupation—for it is nothing but an army of occupation—can and should go and we are prepared for the consequences. I do not agree with His Excellency the Commander-in-Chief when he says that:

"If Government were to attempt to go further at the present time than they have done in the steps taken to further Indianization, which if forced too hurriedly would assuredly bring disaster to this Indian Army of ours, ruin to the cause of India, and broken hearts to the many magnificent old Indian soldiers who have been my comrades, and—as they themselves know well,—my best of friends, throughout my lifetime."

Now, putting aside this personal touch, it is quite obvious that this statement cannot be accepted by any one. I do not wish again on this to break a lance with one who is not himself the political Minister of the Army Department, but it is quite obvious that this policy which has been given expression to cannot be accepted by any school of thought in India. You tell us that we cannot defend ourselves to-day and therefore we are unfit for self-government. Then when we say that we are quite ready to defend ourselves, when we ask you to give us the Army, to give us the colleges that are necessary to train officers, to give us the fullest opportunities, to give us the financial control over military matters, and to give us the other equipment that is necessary, we are told that if the pace is hurried, disaster would be brought to the Indian Army, and that the cause of India would be ruined. Here again in the same fashion as in the political field you have got the trusteeship. Why then talk of the Indianization of the Army in India being a part of the new responsible government that is going to be given to us?

Sir, I was very glad to hear the pronouncement made by His Excellency the Commander-in-Chief, for if there was any doubt in my mind as to the operations of the Statutory Commission in the South or in the far North, I am perfectly certain that those operations will be neutralised and a new fillip to the national movement, to the Swaraj movement, will be given by the admirable statement which, in consonance with the best traditions of English statesmanship, was made the other day by His Excellency the Commander-in-Chief. That is just the thing which we have been needing. I think it was only in that spirit that Lala Lajpat Rai said that he welcomed the statement, and it is only in that spirit that we pass our constitutional vote of censure upon Government by making this motion. I only wish that we would realise the pregnant observations which my friend Lala Lajpat Rai made and give up all idea of an equal status and equal powers being given to the Statutory Commission, and even if equal status and equal powers are given, we shall have nothing to do with it, for you will receive a worse treatment than the treatment which has been accorded to the unanimous recommendations of a Committee of Government's own creation. Mr. President, I do not wish to see that this policy and this tradition of not adhering to their solemn pledges should be observed in this House. Time and again there are solemn decisions taken

[Mr. S. Srinivasa Iyengar.]

from Government on the recommendations of Committees of their own creation, but nevertheless those decisions are flouted. It is therefore quite obvious that the Government are not showing that respect which is due to this Legislature. In fact, they are showing the greatest disrespect to this Assembly which passes a decision to which Government themselves are parties by not adhering to it, and I cannot sufficiently condemn such action on the part of Government. We have been treated to similar exhibitions in connection with the Reserve Bank Bill and other measures. Time and again this sort of unreasonable and unjustifiable attitude has been taken up by Government only to tell us again and again that they will not proceed further than they have chosen to do. The question therefore narrows itself to this. Is India going to be governed according to the decrees of the British Government and of the Government of India or according to the decisions taken in this Assembly? That is the question to which I want an "Aye" or "No". It is perfectly clear that everybody must agree that it would be a hypocritical profession on the part of anybody to claim that they have given any responsible government so far or propose to give responsible government hereafter or that there is the beginning of a real indigenous Indian Army in the announcement that has been made. I consider it is easy enough for those who advocate any cause to enthuse over the subject which they have taken unto themselves and to say that they believe in it. But I do not like that sincerity should be claimed by those who preach these things unless in the deeds which they themselves are parties to the sincerity becomes manifest. Claim is made for earnestness, sincerity, good faith, love of India, good will, etc. All these are excellent phrases, well enough in their own places. But we want deeds and I do not expect any deeds from this Government. Therefore the only thing that this Assembly can do is time and again, every time, on every motion, every instant of its being, to go on censuring this Government till they take themselves elsewhere. (Laughter.) I do not know that the sense of humour which prevails on the opposite side will ever enable the Government to realise that while we are equally endowed with humour, we are really serious. I do not think the Government Benches want to take us seriously. They take themselves far too seriously. I am perfectly certain that an Indian Government will do very much better than my friends on the opposite side and an Indian Army will be very very much better than the army of which they are so proud, an army, apparently, Indianisation in which will bring tears to the eyes of those magnificent Indian soldiers! I do not know whether these soldiers are Indians or not. It is just like those Indian officials who do not want responsible government for India and who are giving dinner parties and tea parties and other things to the Simon Commission for various party or personal purposes in order to diminish the effect of the boycott. Whatever the case may be, it is quite obvious to us to-day that the British Government says, "Thus far only shall Indianisation go". What we want is to make it perfectly clear that we on our side of the House do not want an army of this description. I do not think that Colonel Moonje or General Moonje, as His Excellency the Commander-in-Chief referred to him, was right in saying that the defence of India is a formidable problem or there is any serious difficulty about it. I do not share Dr. Moonje's misgivings as to the great dangers and I do think the dangers which he adverted to are really more exaggerated than otherwise. But His Excellency the Commander-in-Chief was certainly not justified in taking the

arguments which Dr. Moonje put forward for quite a different purpose for his own purposes and in saying that they furnish excellent argument for the purpose of perpetuating the British army in India. With these words, Sir, I once more cordially endorse the motion to censure this Government in the most unambiguous fashion for their conduct in making this declaration of policy which is no less unambiguous than the censure which we are moving to-day.

Mr. President: Before we proceed further, I desire to make one observation. I regard it as highly 'discourteous on the part of His Excellency the Commander-in-Chief that he should come here and make a long speech, and then, when a motion for adjournment is discussed on that speech, that he should not be in the House.

Mr. G. M. Young: Sir, with reference to what has just fallen from you, His Excellency the Commander-in-Chief desired me to inform the House, if the point should be raised, that he did not receive notice of this motion—as indeed none of us received it—before 10 o'clock this morning, and he had already made arrangements to be out of Delhi to-day.

Mr. President: The Honourable Member should have informed the Chair.

Mr. G. M. Young: I was instructed by His Excellency to do so if any Member commented on his absence. I did not anticipate that that would be the case.

Sir, a year ago I gave a promise in this House to the following effect. I said full opportunity would be given for discussion of this matter when the Government of India after consultation with His Majesty's Government were in a position to inform the Assembly. I further said in reply to a supplementary question that this House would certainly be consulted before final decisions were reached. In accordance with those promises His Excellency the Commander-in-Chief, in the traditional and conventional place for making important announcements of military policy, that is, in the general discussion of the Budget, gave an outline of the proposals of His Majesty's Government and of the Government of India on the Skeen Committee's Report. We have therefore now reached the position indicated in my statement a year ago. Having informed the Assembly we hoped that Honourable Members would wait a little until they had studied the announcement, and they perhaps take the opportunity which the Government's pledge offered and assured them. Instead they have preferred to discuss this matter in circumstances in which their conclusion, whatever it is, must necessarily be hasty and ill-considered. The reason for this was given by my Honourable friend, Pandit Madan Mohan Malaviya, this morning. He said that it is most urgent that we should discuss this subject because the announcement came as a great shock to them. If Honourable Members are still under the influence of the shock, will not their judgment be still more hasty and ill-considered than the exigencies of this debate would make it in any case?

The gravamen of the charge against Government is that they "turned down" the Indian Sandhurst Committee's Report. Almost everybody has used exactly that expression. I wish to examine in the short time at my disposal the extent to which it can truly be said that the Government have turned down the Indian Sandhurst Committee's Report. I would

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begin by saying that every one of the initial recommendations of the Committee, every immediate recommendation that is not contingent upon what may happen in the future and not based on guesswork, has been accepted by the Government, and will be put in operation this year, which is exactly what the Committee asked.

Before I go into these details I should like to deal with another point. Much has been made (and rightly made) of the fact that the proposals of this Committee were unanimous. It has, however, been suggested that it is a dreadful thing not to accept altogether the proposals of any body of men, if those proposals are unanimous. It was no small feat on the part of the drafters of the report to present the case in such a way that so many persons of different experience and outlook felt that they could conscientiously sign it. I have not the slightest desire to belittle that fact, but there is also a degree of unanimity on our side. When the Committee's proposals were received by us the first thing that happened was they were referred to the principal staff officers, that is, all the high military officers, who considered them for about two months. I had the privilege of attending their deliberations myself and I can say how diligent they were. They submitted their memorandum to the Government of India, who again in their turn considered all the proposals most carefully. They eventually forwarded their recommendations to the Secretary of State. Their recommendations, together with the report of the debates that took place in this House last September, were considered at length by the Secretary of State in Council, and were approved. The Secretary of State forwarded them to His Majesty's Government, that is to say, the Cabinet, who referred them to the Committee of Imperial Defence, which is a sub-committee of the Cabinet assisted by the highest military advisers of the Empire. They considered the proposals and submitted their recommendations to the Cabinet. In the end His Majesty's Government sent out to us their conclusions. On one or two points those conclusions differed from what was recommended by the Government of India. The Government of India returned to the charge, and succeeded in obtaining the modifications they wanted. The result is that our proposals, however inferior some Honourable Members opposite may think them, are the offspring of an unanimity which is at any rate comparable in force to the unanimity of Sir Andrew Skeen's Committee.

Now, Sir, to turn to the actual recommendations of the Committee. It was suggested that, without any further tests or proof, the number of vacancies open to Indians in Sandhurst should be doubled, that is to say, raised to 20 a year. That has been done. The Committee recommended that Woolwich and Cranwell should be thrown open to Indians, provided they qualified by the same tests as British boys, and that Indians should be eligible to enter all arms of the service. That recommendation has been accepted as it stands. There is a slight difference in the number of vacancies recommended by the Committee for Woolwich and Cranwell and the numbers now thrown open. The Committee recommended 8 at Woolwich and 2 at Cranwell. Why 8 at Woolwich and 2 Cranwell they did not say. His Majesty's Government and we have agreed to a maximum of 6 at Woolwich. That bears a definite relation to doing what the Committee themselves never proposed to do—to establishing Indian

Artillery and Engineer and other units. As regards Cranwell, the Committee's recommendation was for 2 vacancies. Here again His Majesty's Government have thrown open that number of vacancies which is requisite for the formation of an Indian air squadron, and for that purpose we should like to have six officers in the first year. Six officers are necessary to constitute a Flight, a sub-unit. If we do not get six, we shall start it all the same in the hope of getting them later on. For many years this House has been urging us to establish artillery and air force and other units. Well, Sir, we are now doing that, although the Committee did not make any recommendation to that effect. The Committee also recommended the opening of the King's Commissions to Viceroy's commissioned officers. Now, I think I may say that the Committee treated the Viceroy's commissioned officer in a rather stepmotherly way. They allotted to him two-thirds of a page out of a 50-page report. When we consider that the only Indian officer that existed till recently was the Viceroy's commissioned officer, when we consider the great reputation and the great number of Viceroy's commissioned officers, I think one might have expected the Committee to have looked also towards the Viceroy's commissioned officers in propounding their scheme. They did not do so, but Government must do so. Government do not of course propose to give openings to Viceroy's commissioned officers at the expense of candidates for direct commission. All I can say is that Government will not lose sight of the Viceroy's commissioned officer, and that they will do everything to build upon that fine material which now exists. About the others we do not know whether they exist. But whatever happens the Viceroy's commissioned officer will not go to the wall.

The Committee attributed the present paucity of suitable Indian candidates to a large number of faulty methods of selection. I have no time to go into the details, but I can tell you, Sir, that all their recommendations for improving the methods were approved and accepted in principle, and adopted almost as they stand. If in the light of experience—the Committee, for instance, recommended advisory committees which we did not think would serve any useful purpose—but if we find that that or any other recommendation is likely to prove useful, we shall of course adopt it as well. We are doing all we can to improve the methods of selection. Further, His Majesty's Government have charged us to leave nothing undone which may widen the field of recruitment. That charge we would have proposed to carry out, even if it had not been specifically laid upon us. The Committee also recommended that the existing methods of publicity should be continued, supplemented by invoking the help of the university authorities and prominent educational authorities. That recommendation of course has been accepted. The Committee also made suggestions for the improvement of the system of education. They also will be accepted. My friend Mr. Jinnah quite rightly pointed out that all these recommendations hang together with the throwing open of more vacancies and with the establishment of an Indian Military College. But they are not actually simultaneous. You must begin with your educational measures first, and then in course of growth you will get your boys growing up under your improved methods of education, who will one day be ready to enter the Indian Military College.

Mr. M. A. Jinnah: What part of the recommendations do you accept?

Mr. G. M. Young: I have just explained. The Committee stated, and we admit, that expense is a great bar to Indian boys going to Sandhurst. Well, Sir, we have now framed a scheme under which grants, not scholarships to selected boys, but grants to all our boys according to their means, will be given to enable them to go to Sandhurst. Those grants will be based upon the difference between the estimated cost of education in an Indian Military College and the actual cost at Sandhurst, Woolwich and Cranwell. The Committee found that the arrangements for guardianship for boys at Sandhurst were unsatisfactory. We agreed and we have adopted their recommendations for improving that system.

Here then, Sir, is the whole body of these recommendations in regard to the recruitment and selection of Indians for the commissioned ranks of the Indian Army. They cover not only the whole field of the Committee's own recommendations about recruitment but include also the opening of careers in other arms of the service. As I have said, they are not contingent on anything that is going to happen in the future, as all the other recommendations of the Committee are, but they, are the Committee's own answer to the question of what shall be done at once. And we have accepted them in full.

Now, Sir, I turn to the future: and I come first to the great bone of contention, the maintenance of the principle of the 8 unit system. We are maintaining this system, which is a system of Indianization—I am sorry to have to use that word—of Indianization by units, because unless you Indianize by units or blocks, you will not do what we are setting out to do, namely, to lay the foundation of a national army. If you Indianize man by man you will never get that national army. Suppose the recommendations of the Committee had been adopted exactly as they stood; suppose the time-table had worked, and by 1952 you had got in the Indian Army half your officer cadre consisting of Indians throughout every unit and in all the departments of the Army. The Committee refrained from saying what should happen after 1952. They contented themselves with the statement that a proportion of British officers should be maintained. Well, Sir, suppose we conceded that, and suppose that British recruitment closed down in 1952 where would we be then? Suppose only Indians were recruited thereafter; it would still be another 25 years before the latest joined British cadets would get away from their units. Therefore, 40 years from now you would get your first fully Indianized units. But under the 8 unit system you will have at least 8 units all-Indian units in 17 years. Which do you consider is the most rapid form of progress?

Now, Sir, in dealing with this question of British recruitment, there is a fact which I have no desire to glose over. It has been stated that the reason why we are Indianizing by units is that we fear that if we do not do so British recruitment would cease, because British boys would cease to come out to the Indian Army. That, Sir, is perfectly true. We do not fear it. We know it. It has further been suggested that this is a matter of racial arrogance. It is nothing of the kind. There are Englishmen serving in India in every branch of the Civil Administration under Indians. You can have them also in the Army departments. But in units it is another matter. Military opinion is unanimous, with perhaps a minority of one (*An Honourable Member*: "What about Sir Andrew

(Skeen?") I said there may be a minority of one. But I can state, not for myself, but on the authority of the highest military opinion in India and in Great Britain, that, in fighting units, an officer establishment of persons of widely different nationality is not a practical proposition. It cannot be efficient. And that is the kind of unit that the Skeen Committee wished to commit us to for the next forty years. Now, Sir, about these boys who, we are afraid, we shall not get if they are asked to serve in the Army alongside of Indians in their units. One must remember, Sir, that they are boys on the threshold of life; and they have a definite choice before them. They can either go to the British Army, where they will serve with officers and men, not only of their own nationality but generally of their own country, or they would have to come out, under the Skeen Committee's proposals, and serve in units where the men are Indian and the officers are half Indian and half European. Is it not natural that they should prefer, as I am perfectly certain they would, to go into the British Army? Meanwhile, you have got no Indians to replace them in the Indian Army. Suppose a Maratha boy had the choice offered to him, on leaving a military college, of serving in a regiment where all the officers and all the men were Marathas; and the other choice was to serve in a unit where the men were, say, Punjabi Mussalmans, and the officers were Indian drawn from all over the country. Will there be any arrogance in his preference if he chooses to serve in his own unit? I think, Sir, one would say that he was worthy of his ancestry and of his traditions, if he made that selection.

Now, Sir, there is only one other question, and that is the automatic increase recommended by the Committee after the initial increase every year. I shall attempt to explain the difference between what the Committee contemplated and what we contemplate in this connection. The Committee laid down what they called their suggested scheme. It was a progressive time table and they said that if that scheme was adopted—if adopted, that is what they said—they realized that it would have to be modified in the light of actual experience. Well, Sir, we agree entirely—we do not adopt their scheme, because we are waiting for the light of experience to shine upon the initial stage. We say "We will take everything that you recommend as a start, and we will wait and see as regards increasing the vacancies". I do not know if Honourable Members have ever considered how it is that the existing number of ten vacancies has remained stationary all these years. It is not that the British Government or the Government of India wished to impose an arbitrary limit: it is the simple fact that we have never had—well, in one year we had—ten officers. But that is the only year we did, and the average was about six. No Indian has ever yet had to compete for a vacancy. If he was qualified he got in. Now the Committee said . . .

Mr. President: Order, order. The Honourable Member must now conclude his observations.

Mr. G. M. Young: I shall in three minutes. Sir. The Committee say that this is due to faulty methods of selection. All I can say is that we have adopted their improved methods of selection. This brings me to a question which is implicit; and that is the question of an Indian Sandhurst, which I will deal with in a very few words indeed. The Committee laid down 1933 as the year for the inauguration of the Indian Sandhurst, because, according to their time table, by that time you would

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get, and be assured of, a steady flow of Indian candidates of suitable quality, who would be, on the one hand, more than Sandhurst could accommodate, and, on the other hand, sufficient to establish an Indian Military College, all this being of course subject, as they have said themselves several times over, to efficiency at every stage. Sir, we absolutely agree with them. All we say is that we do not know that that is going to happen in 1933. But, Sir, whenever it does happen, this Report, which Honourable Members insist on saying that His Majesty's Government and the Government of India have turned down, will be then, as now, the basis of our own immediate and constructive proposals. (Applause.)

Colonel J. D. Crawford (Bengal: European): Sir, in rising to take part in this debate I should first like to enter a protest against what Mr. Macworth Young has described as the conventional method of bringing forward statements of important military policy in a general discussion on the Budget. It has also, I feel, in this instance, given rise to the motion for adjournment moved by my friend, Mr. Jinnah, which has led to this very important subject, a subject the importance of which we are all agreed about, being debated in the course of two hours and that with a definite time limit for each speaker. The result must be that many who desire to take part in the debate and to criticise the definite proposals of Government, which are for the first time in front of us, will be excluded from doing so. I very much regret that my friend Mr. Jinnah did not recognise that point and did not come to some agreement with the Government for the debate on the Army Budget with a particular motion on this subject to be taken up on Monday or some definite date next week. Certainly he could have got that and it would have been more in accordance with courtesy to other Members in this House who desire to talk on this important subject.

Mr. M. A. Jinnah: It is open to the Honourable Member to ask for a day from the Government; I have no objection.

Colonel J. D. Crawford: I all the more regret the shortness of time, because much of it has been wasted by my friends Mr. Lajpat Rai and Mr. Srinivasa Iyengar who have failed to discuss or criticise in the very least the proposals which are now before the House. (Applause). They occupied the time of the House on long harangues about the Simon Commission and their lack of confidence in Government, whereas they might have tried to point out where the proposals of Government had failed to meet the wishes of that side of the House. Now, Sir, I know that when I last spoke on the subject of the Skeen Committee when I said that I thought that the recommendations did not meet the requirements of a national army, so far as I knew, many Members of the House imagined that I was opposed to any such measure. Let me say at once that I am not; and I think if I quote for one moment the opinion of the European community in India Honourable Members will have some idea as to what our views actually are on the subject. At a Conference held in Calcutta we passed the following resolution:

"This Conference, while recognising the legitimate aspirations of Indians for military service, considers that any scheme adopted to that end must be governed by the maintenance of the highest standard of efficiency, the maintenance of a requisite British element, and the necessity for careful but reasonable economy. This Conference sincerely trusts that the above-mentioned conditions will be deemed essential and a *sine qua non* of any scheme introduced as a result of the recommendations of the Indian Sandhurst Committee."

Those were the points upon which the Indian Sandhurst Committee themselves laid considerable emphasis; the European community did the same, for they have realised that in the question of an army you cannot make experiments. You can make experiments on the administrative side and you are in a position to correct mistakes. So far as mistakes in the army are concerned, the mistake will only be discovered in time of war and then it will be too late to rectify it. That necessitates our proceeding with a measure of caution in this matter. Now, the measures taken by the Government appear to me to be very considerably in advance of anything that I had expected. It is not a question of the number of officers who may be immediately trained, but it is the recognition by Government of a principle which I pressed on them during the last debate, that the Indian Army should have its artillery units, its engineering side and air force and that Indians should be admitted into those units. That principle, by the announcement made, has been accepted by the Government and I hold that it is a very measurable advance on any position regarding the Army in India that we have had up to date. (Applause.) But I have one general criticism against the proposals both of the Skeen Committee and of the Government as now placed before us and that is that the Viceroy's commissioned officer is not given that attention which, I am convinced, is his due. Both the Skeen Committee and the Government proposals seem to forget that half your Indian Army to-day is officered by Indians, and if you really intend to have a national Indian army, it is those men whose standard of education you should improve till they are in a position to take on the full duty of a commissioned officer and are able to rise to the top ranks of the Army.

Let me take the question of education and here I find myself again in disagreement with Government and more in agreement with Mr. Jinnah because I believe that it is a military necessity to-day that you should start a college for the training of what are called the Viceroy's commissioned officers, corresponding to your second Lieutenants and Lieutenants of British regiments. These men have all the character that is required and all the soldierly qualities that are required to make officers, but they have hitherto lacked in education. I believe that you can to-day select youngsters from the ranks who can be improved by a definite education at a military training college. Now, I do not say that the Indian military training college would to-day be the equivalent of Sandhurst, and therefore we should welcome any vacancies that we can obtain in military establishments at home. But that is only dealing with a small fraction of your officers' establishment of the Indian Army. You are leaving the vast establishment of 18 officers per battalion entirely untouched and that is where I say this scheme has failed. As a matter of fact, I understand that Government has already started a Kitchener College at Jullundur which is intended to train Indian non-commissioned officers for the Viceroy's commission. In that college, to my mind, is the beginning of what will eventually be our Indian Sandhurst. It may not at once turn out the fullest qualified men that we would later on require, but if it was developed and more made of it, I believe we should have at least the nucleus at the bottom of a large body of Indian officers who will eventually rise to the higher ranks as they pass the necessary tests. I have, Sir, laid great stress on the educational training in the Army both of the sons of the present Viceroy's commissioned officers and of the youngsters from the ranks who are to be the Viceroy's commissioned officers or, as I would

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like to see them, the Dominion commissioned officers of to-morrow. I am quite willing to welcome any other sections of society who choose to enter the Army; I am only too willing to see them coming in. But I do not hold the optimistic view which this House holds and which is also held by the Skeen Committee that you can get the requisite number of suitable candidates from other sources. We have to rely in the main for our supply of officers upon our officers' records and we generally recruit those families who have through many generations had military connections. It is the same in England and it is the same everywhere. The son generally follows in the footsteps of his father, that is a very well known fact.

There is one other question which I would like to speak on. That is the question of the 8 unit scheme. I believe the Government is correct in confining itself at the moment to the 8 units. If we are to be quite certain that these units will serve the purpose of a national army and can undertake the responsibilities which will fall on them, then they must be able to stand alone and without the assistance of any British officers. The future will show whether or not they are able to do that, but I see no reason why with adequate training they will not equip themselves as well as the Indian Army of to-day.

Mr. M. A. Jinnah: Better.

Colonel J. D. Crawford: I hope better, Sir, and I am sure we will all be very satisfied if they do so. But there is no doubt that the 8 unit scheme is going to be unpopular with the British officers, the Indian officer and the Indian rank and file. We have to recognise that and I feel that Government should take what steps they can to remove any idea that these 8 Indian units are inferior in any way to the other units of the Indian Army. I think it will be quite possible to devise means to give them increased status and improved position that would remove any feeling there might be of any inferiority.

We have, therefore, to-day in front of us a proposal which I feel certainly does not call for censure by this House. We have got Government admitting the principle, a new principle, in the question of its military affairs, and that is the entrance not only of Indians in increased numbers to the commissioned ranks but the entrance of Indians into the artillery, the engineering and the air forces and the addition, I understand from Mr. Young, at an early date of those forces to our Indian army.

That I hold is a very memorable advance on the position as we have known it in the past.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I have heard my friend, Mr. Mackworth Young, with very great interest. He wanted us to believe that a substantial effect had been given to the recommendations of the Skeen-Committee. It was towards the end of March last year that we got for the first time a copy of the Skeen Committee's Report from him. When I read the book, three principal recommendations struck me as being the best recommendations of that famous Committee. The first was the abolition of the 8-unit scheme, the second the establishment of an Indian Sandhurst, and the third was a progressive scale of Indianisation

for the Indian Army. Might I ask him if any of those recommendations have been accepted by His Majesty's Government? (*An Honourable Member*; "Of course not.")

Then His Excellency the Commander-in-Chief, whose absence I regret, though I am sure he is engaged in other official business elsewhere, made a very notable statement. He said:

"Since then the Government of India have been in communication with His Majesty's Government, whose connection with and responsibility for this problem are so vital that I am glad to say we have been able to reach a unanimous conclusion regarding the question of the Indianisation of the Indian Army as a whole."

Might I ask, who are the "we"? Is it the Executive Council of the Governor General, which consists of three Indians, or the Council of the Secretary of State, with its three Indians, or His Majesty's Government, the War Office or the Committee of Imperial Defence? I suggest that the issue is so important and so vital to Indian national well-being that the despatches on the subject ought to be placed on the table of this House for perusal by the public. I feel very strongly on this point, as I refuse to believe, I refuse to be convinced that the Indian members whom we have in this country, as well as Whitehall should have been a party to this scheme. The Members on the Government Benches will say that I am trying to destroy the corporate existence in the Executive Council. I am doing nothing of the kind. When the number of Indians was added to the Council it was specifically laid down in the Montagu-Chelmsford Report that they were to bring to light in the inner recess of Government the trend of Indian public opinion. I want to see whether they have discharged that great obligation which lies on them. (*An Honourable Member*: "You must know as the head of a newspaper agency".)

While I yield to none in my appreciation of His Excellency, a recent statement made by His Excellency was that there is a distinct improvement on the present position. A mere improvement in detail, but a real setback in policy. I was surprised to see that it had escaped the observations of such an astute lawyer as my friend Mr. Jinnah. This is what His Excellency said:

"Government contemplates that as India progresses towards full responsible government within the Empire, there may be a process of development in the Army of the same character as the Dominion armies organised on a national basis and officered by officers holding their own national distinctive form of commission."

What does this mean? It means that when my Honourable friend, Colonel Crawford, spoke last September, he has turned out to be a good prophet. The future army that we are going to get in India is not going to be the King's commissioned army that we have to-day; it is going to be an inferior army called the Dominion Army, officered by men with Dominion commissions; and the Dominion commission is bound to rank inferior to His Majesty's own commission. This is what we are going to get and this is what we have bargained for. Of course the Dominion commission is an honour for a citizen of a Dominion who is white, because he has got the right of entry into the British Army—to all branches of the British Army. Only recently we had a Canadian General Sir George Corrie who was the Deputy Chief of the General Staff. But entrance for Indians into the British Army may be regarded as absolutely out of the question. So what we are going to get in the process of development of the Indian Army on dominion lines means, officered by men with Dominion commissions who will undoubtedly rank inferior to men who hold His Majesty's Commission.

[Mr. K. C. Roy.]

I attach the highest value to the latter, as a chain in our Imperial relationship. Are these the things we expected as a result of the Sandhurst Committee? At least I did not. I am not one of those who have abandoned faith in Government, but I can only say that my faith has been shaken, but not yet broken.

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): Sir, I will not take up more than ten minutes because I am very anxious that this question should be decided before six o'clock. After hearing the Honourable Mr. Mackworth Young, one is led to believe that the recommendations of the Sandhurst Committee have been accepted to a great extent by the Government of India. But if you will please see the terms of reference of the Committee, you will find that these can be divided into two main heads: (1) how to get a larger number of suitable candidates for Sandhurst, and (2) whether it is desirable to have a Sandhurst in India or not. So far as the first is concerned, I do not find there is anything contained in the announcement of His Excellency the Commander-in-Chief which tells us how to get a larger number of candidates for Sandhurst. The Committee had recommended different methods by which a larger number of Indian young men would be forthcoming for going up to Sandhurst; and their suggestions were so closely connected with their scheme of annually increasing numbers to be admitted to Sandhurst that you cannot separate the two. What they say is that the Registrars of the Universities, the headmasters of schools and the principals of various colleges ought to co-operate with us in bringing up and turning out suitable young men for Sandhurst. But why these people do not take an interest is that they know that the number is very limited; they know that throughout India only ten boys were to be admitted annually. Therefore they naturally thought that the chances being very limited it was not worth their while taking trouble in preparing boys for Sandhurst. If you look at the Report, Sir John Maynard, whom I consider to be the greatest authority and who has put in forty years' service in the Punjab, says that he knows of several young men who are much more suitable for being admitted to Sandhurst than these ten boys selected annually for Sandhurst. The only thing is that the method of recruitment was so much complicated that those young men had no chance of getting an opportunity even to come and appear in the entrance examinations. Now, again, Sir, if you see the announcement it contains only one thing which is of some importance and that is that the number is increased from ten to twenty. Now, Sir, I feel it was not necessary at all to appoint a Committee—working for almost two years—making a tour on the Continent and England and America—to report to the Commander-in-Chief and say, "Kindly increase the number from ten to twenty". That His Excellency could announce even without the appointment of a Committee. The findings of the Committee had nothing to do so far as the question of increase in the number is concerned. If an officer like Mr. Burdon, who has had personal experience of over six years in selecting candidates for Sandhurst, had the least doubt in his mind that suitable candidates would not be forthcoming in sufficient numbers, he would never have appended his signature to this Report. Now, either we should agree that there is a possibility of more than 20 young men annually coming forward or there is no such possibility. The members of the Committee themselves say that there should be progressive increase, subject to

one strict condition, i.e., that really suitable and efficient young men are forthcoming. Supposing the Government had accepted the recommendation of the Sandhurst Committee, and assuming that suitable young men were not forthcoming, the Government would not have bound themselves to accept the recommendation to take the same number, whether suitable young men did come forward or not, because the Committee clearly say that the number will be increased annually provided suitable young men come forward. So what justification is there for Government to turn down that proposal and say that they will take only 20 annually? Not being a politician, Sir, I would not like to talk about high politics in connection with this motion, but this announcement reminds me of the Preamble to the Act of 1919 which says that after the expiry of ten years a Committee will be appointed to inquire into the fitness or otherwise of India to get more reforms. Similarly, in this matter too, the Government want to keep something with them. The recommendations of the Sandhurst Committee left no room for them. They recommended that from 1929 onwards every year there should be an increase in the number of candidates, that is to say, in 1929 they will take so many, in 1930 they will take so many more, in 1931 they will take so many, and so on. But the Government say "No, we will have only 20 for the present and after five or ten years we may, if possible, appoint another Committee to inquire what should be done further in the matter".

Sir, I am grateful to my friend Colonel Crawford who has very kindly taken upon himself the duty of pleading the cause of the Viceroy's commissioned officers. I have the honour to represent a constituency, which is the largest military constituency in India, and in my daily life I come across hundreds of retired military officers. Now, Sir, some of them have got King's commissions and as Colonel Crawford has suggested, probably some more men may be granted King's commissions. Now, what do these commissions mean? Just six months before their retirement they are made Lieutenants, and I do not know of a single case in which after an officer had received a King's commission, he served in the Army for more than six months or a year. If we were to ask a question as to how many Indians are there holding the King's commission, my friend the Army Secretary would get up and say that there are 300 officers—but all of them are on the verge of retirement. (Laughter.) I am grateful to His Excellency the Commander-in-Chief for giving five vacancies annually to these officers in the King's commission. I hope that suitable young candidates, who have a career before them, will be selected, and not those officers who are on the verge of retirement.

Now, Sir, one word about the 8 unit scheme. After listening to the speech of the Honourable the Army Secretary, I do not think I need say much. He admits that there is an obvious difference. We on this side are anxious to make the service in the military as attractive to Indian young men as we can. On the other hand, he is anxious to make this service as attractive to British young men as he can. He suspects that, if he does not have the 8 unit scheme, British young men will not come out in the service in the same numbers. On the other hand what we feel is that if there is the 8 unit scheme, suitable Indian young men will not be forthcoming (An Honourable Member: "Quite right"), in the same numbers. So there is a fundamental difference. The best thing is to find out a reasonable solution of this difficulty and to decide as to who is reasonable

[Raja Ghazanfar Ali Khan.]

and who is unreasonable. I think, we Indians, can learn much if there are British officers in the regiments by working as subordinates under them; and the British officers can teach us a lot when we work under them as subordinates. It is not only the officer who teaches a subordinate, but a subordinate also can always teach the officer how to become a good subordinate. There are various reasons, not merely sentimental, why we are strongly opposed to this 8 unit scheme. Another characteristic of this 8 unit scheme is that there will be no Subadars and no Subadar Majors so far as these 8 units are concerned. I know that all those Indian soldiers who join the Army have not got the chance of becoming a Subadar or Jamadar or Subadar Major, but everybody who joins the Army joins in the hope of becoming a Subadar or Jamadar or Subadar Major some day. If there are no Subadars or Jamadars or Subadar Majors in those regiments, then very few Indian soldiers will be coming forward to join those regiments. Then Colonel Crawford would get up and draw the inference and say, "Look here, there are 8 units officered by Indians. But Indians themselves are not coming forward to join these regiments and serve under Indian officers" then there would be no argument on this side, which would convince him to the contrary.

Now, Sir, there is only one more point and that is about establishing a Sandhurst in India. I think every Honourable Member remembers that in 1918, during the Great War, when the Government thought it necessary to enlist some Indian young men in the Army as Lieutenants and give them King's commission, they immediately, probably within 15 or 20 days, established a college at Indore. Some young boys were selected. They got their training—I do not think for more than 9 months or a year—at Indore and they went out and joined the different regiments as Lieutenants. Some of them were my personal friends. I had an opportunity of meeting them after they had served in the Army for about 9 or 10 years. I have not come across a single Indian officer who was not satisfied with his lot and not a single European officer who thought that these Indore students were in any way inferior to those students who had passed from Sandhurst. I do not know—I have not got the facts before me but probably my leader Mr. Jinnah is in a better position to know—whether there was any officer who came forward and gave evidence that these Indian boys from Indore proved failures. I do not think there was any proof of that. You can imagine that if Indians during the time of the War got only 9 months' training, and had not the same qualifications as are now required of these candidates who will join the Sandhurst, and if they turned out and became good officers, I have not the least doubt that if there is an Indian Sandhurst and the boys get proper training they will make very efficient officers.

As there is little time left, I strongly support this motion and I am confident that even the Muslim group must be feeling greatly insulted by this announcement because this announcement frustrates the verdict of one of their leaders Sir Abdul Qaivism, who had put his signature to the scheme, and now, if they vote against this motion they would be

(Several Honourable Members moved that the question be now put.)

Captain Kabul Singh Bahadur (Punjab Nominated Non-Official): Sir, the Government have given their best attention to the question and have

come to the conclusions so ably defined by His Excellency the Commander-in-Chief. It is no use adjourning the House and passing a vote of censure on the Government. We have to look at it from all points of view and not only from one national point of view. A military college started in India will not produce Commanding Officers in 5 years. Why not take the allotment given for entry into the Royal Military College, Sandhurst, and work your way upwards from it? You have got entrance for the Army, artillery and air force, and so there are no bars now. Our youths have every avenue open to them. Let them show themselves worthy of the step and pave the way for further progress in national military education. Would it not be a good thing if our own countrymen who have come out of Sandhurst and have worked their way up to Majors and Colonels become instructors in the future military college and thus make it a real national school of this country?

(Several Honourable Members moved that the question be put.)

Mr. President: The question is that the question be now put.

The motion was adopted.

Mr. President: The question is:

"That the Assembly do now adjourn."

The Assembly divided:

AYES—70.

Abdoolah Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Abdullah Haji Kasim, Khan Bahadur
 Haji.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Sessa.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Bhuto, Mr. W. W. Illahibakhsh.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iswar Saran, Munshi
 Ivengar, Mr. S. Srinivasa.
 Javakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Joshi, Mr. Varahagiri Venkata
 Joshi, Mr. N. M.
 Kartar Singh, Sardar
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad
 Kunzeu, Pandit Hirdav Nath
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Lajpat Rai, Lala.

Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Mohammad Ismail Khan, Haji
 Chaudhury.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidva Sagar.
 Phookun, Sriji Tarun Ram.
 Purshotamdas Thakurdas, Sir.
 Rafique, Mr. Muhammad.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. K. C.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Tirloki Nath, Lala.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.

NOES—41.

Abdul Aziz, Khan Bahadur Mian.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil
 Bray, Sir Denys.
 Chatterjee, The Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dalal, Sardar Sir Bomanji.
 Gidney, Lieut.-Colonel H. A. J.

Graham, Mr. L.
 Irwin, Mr. C. J.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Sams, Mr. H. A.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 12th March, 1928.

LEGISLATIVE ASSEMBLY.

Monday, 12th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

EXTENSION OF THE PROVISIONS OF THE PROVIDENT FUNDS ACT, 1925, TO PROPERLY CONSTITUTED PROVIDENT FUNDS OF FIRMS, COMPANIES AND ASSOCIATIONS.

412. ***Sir Walter Willson:** Will Government be pleased to state if they contemplate taking steps to give effect to the resolution passed at the meeting of the Associated Chambers of Commerce of India and Ceylon in December, 1926, recommending that the Provident Funds Act, 1925, be amended so as to extend its provisions to properly constituted provident funds of firms, companies and associations?

Mr. V. K. Aravamudha Ayangar: Sir, may I answer question No. 412? I am sorry the Honourable the Finance Member is not here.

Mr. President: The Honourable Member should have informed the Chair.

Mr. V. K. Aravamudha Ayangar: The Government have recently resumed active consideration of the matter: they have come to certain provisional conclusions and will now consult Provincial Governments.

AMOUNT COLLECTED FROM EACH PROVINCIAL GOVERNMENT AS INCOME-TAX PAYABLE ON SECURITIES ISSUED INCOME-TAX FREE.

413. ***Mr. M. S. Aney:** Will the Government be pleased to give the amount collected under the second proviso to section 8 of the Income-tax Act (1922) from each Provincial Government separately, as income-tax payable on securities issued income-tax free, for each year from 1920-21 to 1926-27?

Mr. V. K. Aravamudha Ayangar: The information has been called for and will be furnished to the Honourable Member when received.

NON-OFFICIAL BILLS IN THE LEGISLATIVE ASSEMBLY.

414. ***Maulvi Muhammad Yakub:** Will the Government be pleased to state, how many non-official Bills were admitted for introduction since 1921 to January 1928, how many of them received leave for introduction, how many of them were circulated for opinion, how many reached the Select Committee stage, how many of them were finally disposed of by the House and how many of them lapsed?

Mr. L. Graham: Sir, I lay on the table a statement giving the information the Honourable Member requires.

Statement showing the number of non-official Bills admitted for introduction and their subsequent stages from 1921 to Simla Session, 1927.

Session.	Valid notices for leave to introduce received.	Introduced.	Circulated for opinion.	Referred to Select Committee.	Passed by the Assembly.	Lapsed after introduction.	Notices lapsed before introduction.
<i>1st Assembly.</i>							
1st Session (February to March 1921)	7	4	..	..	1	..	3
2nd Session (September 1921 to March 1922).	31	14	4	2	1	9	17
3rd Session (September 1922 to July 1923).	23	10	4	11	9	..	13
<i>2nd Assembly.</i>							
1st Session (January 1924 to September 1924).	41	13	3	5	1	..	28
2nd Session (January 1925 to March 1925).	46	10	3	1	2	..	36
3rd Session (August and September 1925).	32	..	1	1	1	25	32
4th Session (January to March 1926).	49	17	..	1	2	..	32
5th Session (August and September 1926).	14	..	..	..	..	..	14
<i>3rd Assembly.</i>							
1st Session (January to September 1927).	45	13	3	1	2	..	32
Total	288*	81	18	22	19	34	207*

* This number includes several Bills the notices of which were renewed from session to session.

NON-OFFICIAL RESOLUTIONS IN THE LEGISLATIVE ASSEMBLY.

415. *Maulvi Muhammad Yakub: Will the Government be pleased to state, how many non-official Resolutions were admitted for discussion since 1921 to January 1928, how many of them were ballotted for, how many were discussed in the House and how many lapsed?

Mr. L. Graham: Sir, I lay on the table a statement giving the information the Honourable Member requires.

Statement showing number of Resolutions admitted, ballotted and moved.

Sessions.	Number of non- official Resolu- tions admitted.	Number of non- official Resolu- tions ballotted.	Number of non- official Resolu- tions moved.	Number of non- official Resolu- tions which could not come up for discussion.	Remarks.
<i>1st Assembly.</i>					
Delhi session 1921 . .	120	54	*25	95	*In addition 15 Resolutions were moved by Sir Sivaswamy Aiyar on a Government day in connection with the Esher Committee's Report.
Simla session 1921 . .	195	61	20	175	
Delhi session 1922 . .	221	149	35	186	
Simla session 1922 . .	229	24	9	220	
Delhi session 1923 . .	363	20	13	350	
Simla session 1923 . .	137	24	11	126	
<i>2nd Assembly.</i>					
Delhi session 1924 . .	403	71	18	385	
May-June session and September session 1924	647	26	4	643	
Delhi session 1925 . .	919	64	11	908	
Simla session 1925 . .	591	13	5	586	
<i>3rd Assembly.</i>					
Delhi session 1926 . .	340	47	8	332	
Simla session 1926 . .	105	24	4	101	
Delhi session 1927 . .	313	25	4	309	
Simla session 1927 . .	196	23	4	192	

N.B.—In cases where several Members gave notice of the same Resolutions the notice by each Member has been counted as a separate Resolution.

QUESTIONS NOT PUT OWING TO THE ABSENCE OF THE QUESTIONERS, WITH ANSWERS TO THE SAME.

IMPORT OF ARTIFICIAL GHEE INTO AJMER-MERWARA.

403. ***Rai Sahib Harbilas Sarda:** (a) Are Government aware that the people of Ajmer in public meeting assembled have protested against the unrestricted importation of a foreign product called artificial or *Vanaspati* ghee into that province and have asked that a heavy duty be levied on it?

(b) Are Government aware that this product has been reported by Chemical Examiners not to possess the nourishing qualities of pure ghee and that it is being sold to unsuspecting people as pure ghee without any measures being taken by Government or the Municipalities to ensure that those who ask for pure ghee in the bazar are not sold this foreign product in the name of ghee?

Mr. G. S. Bajpai: (a) Yes.

(b) As regards the nutritional quality of this article the attention of the Honourable Member is invited to the reply given to part (d) of Raja Raghunandan Prasad Singh's starred question No. 13 on the 1st February 1928. Government have not received complaints from Ajmer-Merwara that vegetable ghee is fraudulently used to adulterate pure ghee. They have read of such complaints being made in some provinces.

INTERMEDIATE CLASS COMPARTMENTS ON THE GREAT INDIAN PENINSULA MAIL.

404. ***Mr. Mukhtar Singh:** (a) What is the average number of intermediate class passengers that travelled by the Great Indian Peninsula Mail that leaves from Delhi at 8-30 p.m., during the last six months?

(b) What is the average capacity of the intermediate class compartments attached to the Great Indian Peninsula Mail?

(c) Are the Government contemplating to increase the number of intermediate class compartments in the Great Indian Peninsula Mail?

Mr. A. A. L. Parsons: (a) and (b). The Government of India do not maintain figures to show the number of passengers travelling and accommodation available on individual trains.

(c) The Government of India cannot undertake to interfere in details of this nature. A copy of the question is being sent to the Agent within whose competence it is to take such action as is necessary and possible.

TRAINING OF INDIANS IN THE PRINTING SECURITY PRESS, NASIK.

405. ***Mr. Mukhtar Singh:** Has the proposal to train Indian youths in the Printing Security Press, Nasik, and then send them to England for further training for ultimate appointment in that line, matured? If so, from which province and community and how was the last recruitment made? What are the prospects of that line?

The Honourable Sir Basil Blackett: What the Government have sanctioned is the training of apprentices in the Press in fine printing work. The course of apprenticeship will run over 5 years, during which period the apprentices will be given a stipend of Rs. 30, 35, 40, 50 and 60 per mensem, subject to the satisfaction of the Master as to the progress made. It is hoped that apprentices who complete the course satisfactorily will, if not absorbed in the Press itself, be in a position to obtain

employment in private printing establishments. The maximum number of apprentices that may be trained at one time is four, and two will be taken from each province by turn. There is no arrangement for sending any one to England for training, nor is it proposed to take any one as an apprentice with a view to appointment in the Press.

The above scheme, though sanctioned, has not yet been given effect to, since it has been found possible to employ promising youths on a daily wage as required. These youths work as ordinary press hands and thus receive a complete grounding in their work. There are at present 10 such apprentices, working on daily wages.

RECRUITMENT TO THE IMPERIAL AGRICULTURAL SERVICE OF POST-GRADUATE STUDENTS OF THE AGRICULTURAL RESEARCH INSTITUTE AT PUSA.

406. ***Mr. Mukhtar Singh:** (a) How many post-graduate students are taken each year in the Pusa Agricultural Institute and how many have so far been trained since the existence of the Institute and how have they been provided for?

(b) Is it a fact that no post is guaranteed to these students as is done in Roorkee and other colleges? If so, why not?

(c) What is the procedure employed to get recruits for training?

(d) Has any student after qualifying himself from this Institute been taken in the Imperial Agricultural Service?

(e) Do the Government propose to recruit their future Imperial Agricultural Service men from this Institute? If not, why not?

Mr. G. S. Bajpai: (a) About 12 post-graduate students are admitted to the Agricultural Research Institute each year. In all 102 such students have so far been trained, and nearly all of them now hold appointments in the Provincial Departments of Agriculture.

(b) The Government of India cannot guarantee these students employment, since "Agriculture" is a transferred provincial subject and most of the posts to which the students can be appointed are filled by the Local Governments. The Government of India do not at present give any guarantee of employment to students passing out of Roorkee.

(c) The courses are advertised in the newspapers, and likely candidates are interviewed by a Selection Committee of officers of the Institute.

(d) Yes; six.

(e) Government will consider in connection with the Report of the Royal Commission on Agriculture the question of recruiting from the Institute such men as they require for any new Central Agricultural Service which may be established.

ADMISSION OF STUDENTS TO THE SCHOOL OF MINES AT DHANBAD.

407. ***Mr. Mukhtar Singh:** (a) While admitting students to the College of Mines at Dhanbad, do the Government recruit a proportionate number of candidates out of each community and province every year?

(b) How was the recruitment made last year?

(c) What is the procedure adopted to secure the candidates for training?

The Honourable Sir Bhupendra Nath Mitra: (a) and (c). Students are admitted to the School mainly on the results of an entrance examination and not on communal grounds. A certain number of admissions is reserved for each province, but the remaining admissions are open to the best candidates without regard to domicile.

(b) The procedure indicated above was followed last year.

RECRUITMENT OF HINDUS IN THE JULLUNDUR POSTAL DIVISION.

408. ***Mr. Mukhtar Singh:** (a) Is it a fact that Mr. Booth when he inspected the Jullundur Post Office Division noted down in the book in 1925 that Hindus should not be taken in that Department?

(b) Since then how many Muhammadans and Sikhs have been taken in that Division?

(c) For how long will this remark stand as a bar to the recruitment of Hindus?

The Honourable Sir Bhupendra Nath Mitra: (a) The orders in question related to the Jullundur Post Office Division only and were cancelled in February 1927.

(b) Muhammadans	.	.	.	.	.	.	.	.	8
Sikh	.	.	.	.	.	.	.	.	1
Hindu	.	.	.	.	.	.	.	.	1

(c) In view of the reply to part (a) this does not arise.

RECRUITMENT TO THE CLERICAL ESTABLISHMENT OF THE RAILWAY BOARD.

409. ***Mr. Mukhtar Singh:** Will the Government please state whether the Railway Board has been permitted to recruit its own staff in the upper, lower and third division, and that it does not take the help of the Public Service Commission which is the recruiting agency for the Government of India staff? If so, why?

Mr. A. A. L. Parsons: The work of most branches of the Railway Board's office is of technical nature and it is, therefore, necessary that the Railway Board should be free to recruit men from railway administrations.

PUBLICATION IN THE VERNACULAR OF LISTS OF FARES ON STATE RAILWAYS.

410. ***Mr. Mukhtar Singh:** (a) Do the Government issue their coaching tariff rates on the State Railways in the vernaculars of the province?

(b) Are they published and kept for sale on the railway bookstalls?

(c) Have the Government made any arrangements for the tariff schedules and rates published in English or in the vernacular of the provinces to be sold at the bookstalls on the railway stations?

Mr. A. A. L. Parsons: (a) Lists of fares are exhibited in the vernacular at each station.

(b) No, but I understand that some railways are considering publishing timetables in the vernacular.

(c) So far as I am aware, goods tariffs are not on sale at station bookstalls either in English or vernacular.

SUPPLY OF ANNUAL REPORTS OF THE DIFFERENT DEPARTMENTS OF THE GOVERNMENT OF INDIA FREE OF CHARGE TO MEMBERS OF THE LEGISLATIVE ASSEMBLY.

411. ***Mr. Mukhtar Singh:** Do the Government supply annual reports of the different Departments of the Government of India free of charge to the Members of the Legislative Assembly? If the answer be in the negative, are Government prepared to issue instructions to supply the annual reports free of charge to those Members who apply for such publications?

Mr. G. S. Bajpai: An inquiry has been made from the various Departments of the Government of India in regard to the point raised in the first part of the Honourable Member's question. The Honourable Member's suggestion for the free supply of the annual departmental reports to Members of the Legislature will be considered.

UNSTARRED QUESTIONS AND ANSWERS.

NUMBER OF MUSLIMS AND HINDUS IN THE POLICE OF THE NORTH-WEST FRONTIER PROVINCE.

354. **Mr. Mukhtar Singh:** (a) Will the Government be pleased to state the number of Hindus and Muslims (i) Constables, (ii) Sub-Inspectors, (iii) Inspectors, (iv) Deputy Superintendents and (v) Superintendents, employed in the Police Department in the North-West Frontier Province?

(b) Did the Government give any undertaking after the Kohat riots that a certain percentage of Sikhs and Hindus will be employed in the Police Department? If the answer be in the affirmative, will the Government be pleased to lay on the table the copy of that statement? Will the Government be further pleased to state the steps taken in this behalf to fulfil the undertaking given?

(c) Will the Government be pleased to state if any Hindu police officer has been put in charge of the police station at Peshawar since 1901? If the answer be in the negative, will the Government be pleased to state the reasons why a Hindu officer has not been appointed?

The Honourable Mr. J. Crerar: (a) The number of Hindus and Sikhs and of Muslims in the Police Department of this Province are as follows:

Rank.	Hindus and Sikhs.	Muslims.
Superintendents and Assistant Superintendents of Police	..	1
Deputy Superintendents of Police	..	12
Inspectors	4	23
Sub-Inspectors	51	116
Head Constables	74	502
Constables	665	4,053

(b) The reply is in the negative except as regards Kohat city, but since the Kohat riots every effort has been made to maintain 30 per cent. of Hindus and Sikhs in all cities and cantonments of the North-West Frontier Province.

(c) Hindu and Sikh police officers have been placed in charge of various police stations in Peshawar city and cantonments at various times since 1901. In the absence of any information regarding the particular police station at Peshawar to which reference is made a more detailed reply cannot be given.

PERCENTAGE OF SIKHS AND HINDUS IN THE DIFFERENT PROVINCIAL SERVICES OF THE NORTH-WEST FRONTIER PROVINCE.

355. **Mr. Mukhtar Singh:** (a) Will the Government be pleased to state the percentage of Sikhs and Hindus in the different Provincial Services of the North-West Frontier Province?

(b) Have the Government taken any steps to increase the percentage of Sikhs and Hindus in the Provincial Services?

(c) Is it a fact that when a vacancy occurs in the provincial cadre of the North-West Frontier Province the recruitment is made generally through the Muslim Association, Peshawar? If so, why?

Sir Denys Bray: The information required is being collected and will be supplied to the Honourable Member in due course.

NUMBER OF HINDUS AND SIKHS IN THE EDUCATIONAL SERVICES IN THE NORTH-WEST FRONTIER PROVINCE.

356. **Mr. Mukhtar Singh:** (a) Will the Government be pleased to state the percentage of Hindus and Sikhs in the Indian and Provincial Educational Service in the North-West Frontier Province?

(b) Will the Government be pleased to state the number of middle and High Schools in the North-West Frontier Province and how many of them have got a Hindu or a Sikh headmaster?

(c) Will the Government be pleased to state the number of Hindu or Sikh Sub-Deputy and Deputy Inspectors of Schools in the North-West Frontier Province?

Mr. G. S. Bajpai: (a) No Hindu or Sikh holds any of the three Indian Educational Service or of the seven Provincial Educational Service posts in the North-West Frontier Province.

(b) There are five Board Anglo-vernacular middle schools and nine Government high schools. One Anglo-vernacular middle school and one Government high school have a Hindu headmaster. No Sikhs are employed as headmasters.

(c) Three Hindus and no Sikhs are serving as Assistant District Inspectors of Schools. There are no Deputy Inspectors of Schools.

APPLICATION OF THE LAND ALIENATION ACT TO THE PESHAWAR DISTRICT.

357. **Mr. Mukhtar Singh:** (a) Will the Government be pleased to state as to when the Land Alienation Act was made applicable to the Peshawar District?

(b) Was there any deputation or memorial sent by the people of the District in this connection or did the Government apply the Act on their own initiative?

(c) Will the Government be pleased to place on the table the correspondence on this subject between the district authorities and the Chief Commissioner of the North-West Frontier Province?

(d) Did the Government make any enquiry as to how the Land Alienation Act will affect the people of the District? If the answer be in the affirmative, will the Government be pleased to lay on the table a copy of the report of such an enquiry? If the answer be in the negative, will the Government be pleased to state the reasons why such an enquiry was not considered to be necessary?

(e) Will the Government be pleased to state the average of sale transactions of five years before and after the Act came into force?

(f) Are Government aware that by the introduction of the Land Alienation Act in the Peshawar District all the Hindus and Sikhs are debarred from purchasing land in that District?

Mr. G. S. Bajpai: The information requested by the Honourable Member is being collected and will be supplied to him later.

FUTURE POLICY OF RECRUITMENT TO THE PUBLIC SERVICES IN THE NORTH-WEST FRONTIER PROVINCE.

†358. **Mr. Mukhtar Singh:** (a) Will the Government be pleased to state the future policy of recruitment to the public services in the North-West Frontier Province?

(b) What is the proportion of Hindus and Sikhs in the Provincial and Imperial Services?

VACANCY IN THE PESHAWAR MUNICIPAL BOARD.

359. **Mr. Mukhtar Singh:** (a) Will the Government be pleased to state since when a seat has been vacant in the Peshawar Municipal Board?

(b) Will the Government be pleased to state the name of the gentleman whose seat is left vacant?

(c) Why has the seat not been filled so long?

Mr. G. S. Bajpai: (a) and (b). A seat on the Municipal Committee of Peshawar has been vacant since the death of Rai Sahib Lala Bashe-shar Nath Talwar in October 1926.

(c) The Government of India understand that the delay in filling the seat is due to certain difficulties connected with new claims for representation by various bodies in Peshawar City.

RAISING THE STATUS OF THE POST OFFICE OF CHITTODE VILLAGE TO A SUB-OFFICE.

360. **Mr. R. K. Shanmukham Chetty:** (a) Will the Government be pleased to state whether any *nazars* were received from the merchants of Chittode Village in Coimbatore District by the Postmaster General, Madras, requesting him to raise the status of the Office from a Departmental Branch Office to a Sub-office?

† For answer to this question, see answer to question No. 355.

(b) Was the proposal recommended by the Superintendent of Post Offices, Nilgiri Division; and what action do Government propose to take in the matter?

(c) Are Government aware of the grievances of the public of Chittode that insured letters, money orders, etc., are long delayed on account of the Post Office being a branch office? What steps have been taken to allay these grievances?

Mr. H. A. Sams: (a), (b) and (c). The information has been called for and will be supplied to the Honourable Member in due course.

NUMBER OF BRANCH AND SUB POST OFFICES OPENED IN THE RURAL PARTS OF THE COIMBATORE DISTRICT DURING 1927-28.

361. Mr. R. K. Shanmukham Chetty: Will the Government be pleased to state the number of Branch Offices and the number of Sub-Offices newly opened in the rural parts of the Coimbatore District during the official year 1927-28?

Mr. H. A. Sams: Number of Branch Offices, 11.

Number of Sub-Offices, *nil*.

COMMUNAL REPRESENTATION IN THE VARIOUS SERVICES UNDER THE CONTROL OF THE GOVERNMENT OF INDIA.

362. Lala Rang Behari Lal: (a) Will the Government be pleased to state if an annual return showing the communal composition of the clerical staff is called for by the Home Department from all other Departments and attached and subordinate offices to examine and redress communal inequalities?

(b) If the reply to (a) above be in the affirmative, will the Government be pleased to state if it is their policy to prevent the preponderance of any one class or community amongst the clerical establishment only and not in the services other than clerical?

The Honourable Mr. J. Crerar: (a) Yes.

(b) No.

COMMUNAL COMPOSITION OF THE INDUSTRIAL STAFF IN THE GOVERNMENT OF INDIA PRESSES AT SIMLA, DELHI AND ALIGARH.

363. Lala Rang Behari Lal: Is any return called for from the Government of India Presses at Simla, Delhi and Aligarh showing the communal composition of the industrial staff such as compositors, distributors, operators, machinemmen, etc.? If not, will the Government be pleased to state if it is their policy not to remove communal inequalities in the industrial establishments and factories in their charge?

The Honourable Sir Bhupendra Nath Mitra: No. It is not contemplated at present that appointments should be made on a communal basis where special or technical qualifications are required.

COMMUNAL REPRESENTATION IN THE VARIOUS SERVICES UNDER THE CONTROL OF THE GOVERNMENT OF INDIA.

364. Lala Rang Behari Lal: Is it a fact that the Government have laid down that the claims of all minority communities such as Muhammadans, Christians, Sikhs, etc., in the services other than Imperial under the Central Government will ordinarily be limited to 33 per cent. of the total strength in an office or Department?

The Honourable Mr. J. Crerar: No. The figure mentioned by the Honourable Member represents the proportion of vacancies ordinarily reserved in the interest of minority communities.

STATE PRISONERS DETAINED UNDER REGULATION III OF 1818.

365. Mr. Satyendra Chandra Mitra: Will the Government be pleased to lay on the table a statement giving the names of the State prisoners under Regulation III of 1818, the period of their detention up to the end of February, 1928, names of Jails in which they are at present detained, their age, their height, names of different Jails to which they were transferred from time to time, their present weight and state of health?

The Honourable Mr. J. Crerar: I lay on the table a statement giving the names, period of detention and state of health of the Bengal prisoners at present detained under Regulation III of 1818.

List of persons in detention under Regulation III of 1818.

Name.	Date from which detained.	Health.
1. Satish Chandra Bhattacharji alias Pakrashii.	25th September 1923.	Good.
2. Bepin Behari Ganguli .	9th March 1924	Indifferent. Has been under treatment for pyorrhoea. Suffers from dyspepsia.
3. Jyotish Chandra Ghosh.	25th September 1923.	Indifferent. Has suffered from dyspepsia and neurasthenia, but recent reports show some improvement.
4. Pratul Chandra Ganguli .	22nd August 1924.	Good.

PERSONS DETAINED UNDER THE BENGAL CRIMINAL LAW AMENDMENT ACT IN JAILS OUTSIDE BENGAL, ETC.

366. Mr. Satyendra Chandra Mitra: Will the Government be pleased to lay on the table a statement giving the names of the Detenus confined in Jails outside their own Province under the Bengal Criminal Law Amendment Act (Supplementary), the period of their detention up to the end of February, 1928, their age, their height, names of Jails in which they are at present detained, names of different Jails to which they were transferred from time to time, their present weight and state of health?

The Honourable Mr. J. Crerar: I am making enquiries and will communicate to the Honourable Member the names of the persons at present detained in jail under the Bengal Criminal Law Amendment Act outside their own province, the period of their detention and their present state of health.

REFUSAL OF A PASSPORT TO MR. KESHORAM SABARWAL TO RETURN TO INDIA.

367. Mr. Satyendra Chandra Mitra: (a) Will the Government be pleased to state whether Mr. Keshoram Sabarwal of Peshawar City, now residing at Tokyo in Japan, for the last 12 years repeatedly applied to the British Ambassador at Tokyo for a passport and he was refused a passport to come back to India and it has been persistently refused? -

(b) Is it true that his mother submitted several petitions to the Chief Commissioner of the North-West Frontier Province for permitting her son Mr. Keshoram Sabarwal to come back to India but that she was not even favoured with a reply and that she died of broken heart?

(c) Is it a fact that Mr. Sabarwal's widowed sister also submitted petitions to the Chief Commissioner of the North-West Frontier Province to permit her brother to come back to India and to look after their estate?

(d) Will the Government be pleased to state the grounds for the refusal of passport to Mr. Keshoram Sabarwal? Are Government now prepared to consider the desirability of granting a passport to Sabarwal?

Sir Denys Bray: (a) and (d). The Honourable Member is referred to the answers given on the 22nd January 1925 and 21st January 1926, respectively, to similar questions on the subject by Lala Duni Chand and Mr. Chaman Lall. The reasons for refusing to issue a passport to Mr. Sabarwal are the same as those then given for Government's refusal to give an assurance that he will not be prosecuted. They still hold good.

(b) and (c). Government have no information but are making enquiries.

LIMITING OF THE SCOPE OF THE FRONTIER CRIMES REGULATION OF 1921 TO THE TRIBAL POPULATION.

368. Mr. Satyendra Chandra Mitra: Will the Government be pleased to state if they are contemplating to take up legislation to limit the scope of the Frontier Crimes Regulation of 1921 in the North-West Frontier Province to be confined to the tribal population only?

Sir Denys Bray: The answer is in the negative.

CASE OF AKBAR KHAN OF HARIPUR IN THE NORTH-WEST FRONTIER PROVINCE, CONVICTED UNDER SECTION 121A, INDIAN PENAL CODE.

369. Mr. Satyendra Chandra Mitra: (a) Will the Government be pleased to state how long Mr. Akbar Khan of Haripur, District Hazara in North-West Frontier Province, now in the Raipur Jail in the Central Provinces, is under confinement?

(b) Is it a fact that he was first convicted on 31st May, 1922, for a term of 5 years' rigorous imprisonment? When did that sentence expire and how much remission of sentence did he earn under the Jail Code?

(c) Is it a fact that while he was confined in jail he was again charged with conspiracy against the State under the same section 121A, on the allegation that he tried to send some letters across the Frontier and that he was sentenced to 7 years' rigorous imprisonment?

(d) Is it a fact that Mr. Akbar Khan was confined in jail at the time of the alleged conspiracy to send letters?

(e) Is it true that the C. I. D. made an investigation in the Peshawar Jail in order to discover the means by which these letters could have been conveyed from the jail, and that the investigation was unsuccessful?

(f) Is it a fact that Mr. Akbar Khan denied that he was the author of any of those letters and that admittedly none of those letters were in his handwriting?

(g) Is it true that Mr. Akbar Khan has been prosecuted under section 121-A, I. P. C., within a couple of months of his conviction under the same section and that in the intervening period he was all along in jail and kept in solitary cell?

(h) Is it true that he has undergone the full term of his sentence under the former conviction and that his conduct in jail has been found entirely satisfactory?

(i) Is it a fact that Mr. Akbar Khan is denied the ordinary remissions and the privileges granted to prisoners under the Jail Code?

(j) Will the Government be pleased to lay on the table a copy of the judgment of Mr. Akbar Khan's case in which he was sentenced to 7 years' rigorous imprisonment?

(k) Is it a fact that remission of the rest of his sentence was recommended by the jail authorities?

The Honourable Mr. J. Crerar: The person in question was convicted under section 121A, I. P. C., and sentenced to 3 years' rigorous imprisonment on the 31st May 1922. He has been in jail since. On the 27th April 1923, he was again convicted under the same section for attempting to communicate from within the Peshawar Jail with revolutionaries abroad, and sentenced to 7 years' rigorous imprisonment. The information asked for in parts (e) and (f) of the question is contained in the judgment of the learned Sessions Judge, a copy of which I will send the Honourable Member if he desires. I have no information as to his treatment and behaviour in jail or as to the remissions he has earned. As regards the last part of the question I must refer the Honourable Member to the answer that I gave on the 13th September last to part (b) of his question on the same subject.

EMPLOYMENT OF BIHARIS AND ORIYAS IN THE GOVERNMENT OF INDIA SECRETARIAT AND OTHER OFFICES.

370. Mr. Amar Nath Dutt: Will the Government be pleased to state whether there are any men from the Province of Bihar and Orissa, serving either as clerks or as officers in the Central Government's offices, recruited through the Public Service Commission? If so, what is their proportion as compared with the men from the other Provinces of India?

The Honourable Mr. J. Crerar: The information is being collected and will be furnished to the Honourable Member in due course.

EMPLOYMENT OF ORIYAS IN THE GOVERNMENT OF INDIA SECRETARIAT AND OTHER OFFICES.

†371. **Mr. Amar Nath Dutt:** (a) Is it a fact that there is not a single Oriya serving either as a clerk or as an officer in any of the Central Government's offices which are within the scope of the Public Service Commission?

(b) If so, will the Government be pleased to state whether they propose to take at least one man from Orissa into the Central Government's offices as a candidate subject to the passing of the examination held by the Public Service Commissioners?

EMPLOYMENT OF ORIYAS IN THE GOVERNMENT OF INDIA SECRETARIAT AND OTHER OFFICES.

†372. **Mr. Amar Nath Dutt:** (a) Will the Government be pleased to state how many candidates from the Province of Bihar and Orissa have applied in the last year as well as in the current year for service in the Central Government's Offices not recruited by the Public Service Commissioners?

(b) Will the Government be pleased to state the number of the Bihari and Oriya applicants?

EMPLOYMENT OF BIHARIS AND ORIYAS IN THE OFFICE OF THE AUDITOR GENERAL.

373. **Mr. Amar Nath Dutt:** (a) Is it a fact that there is a rule in the Auditor General's office that no one from the Province of Bihar and Orissa is to be taken for service into that office? If so, will the Government be pleased to state the reasons therefor?

(b) Will the Government be pleased to state how many men from the Province of Bihar and Orissa are serving at present in the Auditor General's office and what is their proportion to the total number of the employees in that office from the other Provinces of India?

(c) Is it a fact that there is not a single Oriya in the Auditor General's office? If so, are the Government prepared to consider the desirability of taking at least one candidate from Orissa for service into that office?

The Honourable Sir Basil Blackett: Enquiries are being made and the information will be supplied to the Honourable Member in due course.

EMPLOYMENT OF ORIYAS IN THE OFFICES OF THE RAILWAY BOARD, DIRECTOR GENERAL OF POSTS AND TELEGRAPHS AND THE AUDIT OFFICER, INDIAN STORES DEPARTMENT.

†374. **Mr. Amar Nath Dutt:** (a) Is it a fact that there is not a single Oriya in any of the Central Government's offices which are outside the scope of the Public Service Examination, viz., (1) Railway Board, (2) Director General of Posts and Telegraphs, (3) Audit Officer, Indian Stores Department?

(b) If so, are the Government prepared to consider the desirability of taking at least one candidate from Orissa for service into each of the above mentioned offices?

† For answer to this question, see answer to question No. 370.

FILLING UP OF VACANCIES IN THE OFFICE OF THE ACCOUNTANT GENERAL,
CENTRAL REVENUES.

375. **Mr. Amar Nath Dutt:** Is it a fact that in recruiting candidates to fill up vacancies in the office of the Accountant General, Central Revenues, advertisements are made to the effect that no graduates from the Universities of Calcutta, Dacca, Patna, Allahabad and Madras should apply and that it is specially mentioned that the vacancies shall be filled up by graduates of the following Universities, namely, (1) Delhi, (2) Punjab, and (3) Agra? If so, will the Government be pleased to state the reasons therefor?

The Honourable Sir Basil Blackett: Enquiries are being made and the information will be supplied to the Honourable Member in due course.

THE INDIAN MINES (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Mines Act, 1923, for certain purposes.

THE GENERAL BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—*contd.*

Expenditure charged to Revenue—contd.

DEMAND No. 16—CUSTOMS—*concl'd.*

Mr. President: The House will now resume further consideration of the Demand under "Customs".

Export Duty on Rice.

U. Tok Kyi (Burma: Non-European): Sir, I beg to move:

"That the Demand under the head 'Customs' be reduced by Rs. 100."

Sir, the object of my bringing forward this motion is to draw the attention of Government to the desirability and advisability of removing the export duties in general and the export duty on rice in particular. The other day when the Honourable the Finance Member replied to the debate on the motion regarding the export duty on jute moved by my Honourable friend Mr. Neogy, he stated that there was no complaint against the jute duty by Bengal and to show this he quoted some of the words of the Indian Fiscal Commission's Report, and I am afraid, Sir, that on this occasion too the Honourable the Finance Member will raise the same objection, for there are words to the same effect in the Fiscal Commission's Report regarding Burma. And just to save the Honourable the Finance

[U. Tok Kyi.]

Member the trouble of reading that portion of the Report I will quote the passage myself. Sir, this is what the Report says:

"It is noteworthy that in Burma, which is the source of nearly all the rice exported from the Indian Empire, no objection at all was raised before us to the continuance of the export duty and it appears to be generally believed in Burma that the duty is so small that it is not felt by the cultivator. In these circumstances, we consider that there is no necessity to recommend the abandonment of this long-standing source of revenue."

Sir, it is true that there was no complaint against the rice duty at the time when the Fiscal Commission visited Burma, but, as in the case of the jute duty, there has been complaint since. I raised objections against the rice duty last year and I now propose to raise my voice against this duty this year too. Sir, the question for the House to consider is not whether there is a complaint against any particular duty or not but whether the duty in question is sound or not. It is a great pity, Sir, that, even at this time of the day, the Honourable the Finance Member has not been able to come to a decision as yet as to whether or not the export duty, such as the duty on jute, has been a bad tax or a good tax. I think it will be admitted on all hands that the export duty is a bad tax, is a tax which affects injuriously the interests of the producer..

Mr. B. Das (Orissa Division: Non-Muhammadian): Not always.

U. Tok Kyi: Sir, in support of my statement I am going to quote an authority which I am sure is more authoritative than Mr. B. Das. That the export duties are bad has been admitted even by the Fiscal Commission. They say in their Report:

"Only in the case of an absolute monopoly, for which the demand is stable, can it be asserted generally that the world price would be raised by the full amount of the export duty and that therefore the whole export duty will be paid by the foreign consumer and none of it by the home producer. An absolute monopoly however for which there is a stable demand is of rare occurrence; and it may therefore be taken as the general rule that some portion, if not the whole, of an export duty, falls on the home producer. When an export duty falls on the home producer it naturally has a tendency to reduce the production of the commodity on which the duty is imposed. The generally injurious effect of an export duty on the producer is recognised in the constitution of the United States, which prohibits absolutely the imposition of export duties."

I think, Sir, Mr. B. Das will be satisfied with the quotation I have just read out. I think no one can deny the injurious effect on the producer of the export duties in general. Not only is export duty harmful in that respect but it also affects adversely the foreign trade in general. In another place the Report says:

"Apart from the question of incidence there is a general objection to export duties which in the case of India deserves special notice. Export duties tend to diminish exports and thus to produce an adverse effect on the balance of trade. If this effect is pronounced, it may cause for a time at least difficulties in regard to foreign exchange."

Sir, the export duties, according to this report, affect adversely the foreign exchanges. The producers are adversely affected not only by the export duties generally but by the ratio fixed by the Honourable the Finance Member last year. There is no denying the fact that the ratio has adversely affected the producer as well as the exporter. That ratio I am entirely convinced is not the natural ratio and I am tempted to call

it the "Blackett ratio". I regret to say that that ratio has an injurious effect on the producers and cultivators of the country. Apart from that injurious ratio we have got what is called the Bollinger pool in Burma. This is a sort of combine conducted by half a dozen foreign firms just to put down the price of paddy. Sir, in this way, Burma, which contributes no less than 80 or 90 per cent. of the export of rice from India, suffers in several ways. We suffer not only from the export duty on rice but from the "Blackett ratio" and also from the operation of a powerful ring. Sir, I may be told, as I was told last year about this time, that this particular duty on rice does not fall on the home producer but passes on to the foreign consumer. Sir, what are the premises that have led to this inference? The Honourable the Finance Member said last year that the only other countries in the world that can compete with India in the rice export are Siam and Indo-China, but Siam and Indo-China levy export duties just as India does at practically the same rate and therefore there is a practical monopoly which is shared between India, Indo-China and Siam. These are the premises which have led to the conclusion that the duty raised on rice is passed on to the foreign consumer. Sir, I am not prepared to accept that argument. We have to consider other factors which are operating against India's interests in this matter. The first factor is freight. The Honourable Member himself will not deny the importance of freight in foreign trade. Amongst the countries which take rice from India are the Straits Settlements, the Dutch East Indies and Japan. They take a good portion of the exported rice from India. These countries, as you are well aware, are situated nearer to Siam than to India. Therefore, Siam is more advantageously situated for the export of rice to these countries than India herself. There is another factor. Siam has a national government. That national government in Siam would not allow such powerful rings as I have mentioned a little while ago to live even for a day. Sir, these two factors are militating against India in the matter of the rice trade as compared with Siam.

Sir, I think I have sufficiently made out a case for doing away with the duty on rice. I think export duties in India have a better claim to abolition than any import duty. Government have however paid their attention to import duties first. Only a few months ago they removed the import duty on mill stores and machinery, causing a loss of no less than Rs. 40 lakhs to the revenue. As I have said, export duties have a prior claim to abolition and I hope the Government will see their way to take the first opportunity of removing the export duty on rice.

Mr. T. Couper (Burma: Nominated Official): Sir, the motion raises a question of almost vital importance to Burma. In Burma we have two things that India has not got. One is this tax on the export of rice and the other is our greater criminality, and I do not think, Sir, that it is unscientific to trace a relation of cause and effect between the two. Sir, while I am in sympathy with my friend U. Tok Kyi I cannot agree with him that the tax on the export of jute furnishes any parallel to this tax on the export of rice. Jute, Sir, whether it commands a monopoly or not, is grown only in India. It is not grown like rice all over the world. The true parallel to the tax on the export of rice would be a tax on the export of wheat from Karachi.

It is of course true that rice exported from an Indian port pays this tax, but the volume of trade is so small that the amounts collected are almost negligible. In the last year for which figures are available, namely,

[Mr. T. Couper.]

1926-27, the amount collected at Bombay was under Rs. 5 lakhs, and the amounts collected in Calcutta and Madras were under Rs. 6 lakhs. Sir, what are these figures compared with the crore of rupees which this tax takes out of Burma every year? In Bengal, which is the province after Burma that has the largest export of rice, the tax is .1 per cent of the aggregate revenues, provincial and central; in Burma it amounts to 5 per cent. There is one other point. The value of the rice exported from India, the so-called Patna rice, is on the London market £30 a ton. The value of the Burma rice is £15 a ton. An article which, when its value is £30 a ton, can bear without difficulty a uniform tax on bulk, will probably find it very harassing to pay that tax when its value is only £15 a ton. I submit that the differences in the amounts which this tax raises in Burma and in India, the difference in the proportion which the tax bears to the aggregate revenues in Burma and in India, and the difference in the degree of incidence are such as to make this tax different not merely in degree from the tax as levied in India but also different in kind. It is not straining the truth to say that the tax is peculiar to Burma, and that being so, unless it is a tax on a monopoly I venture to submit that it is not far removed from being an unconstitutional tax.

The Government of India have maintained for many years, and I think that the argument was adopted by the Honourable the Finance Member when he addressed the Rangoon Chamber of Commerce in October last—the Government of India have maintained that the tax is a tax on a monopoly and can do no harm to the Burma farmer. The argument has been sketched by my Honourable friend, U. Tok Kyi. It is said that Burma rice does not compete actively with the rices grown in any part of the world except Siam and Indo-China. It is stated that Siam and Indo-China levy a tax on export which is not less than the tax levied in Burma, and it is argued that so long as this is true then the foreign purchaser must pay the tax. Sir, in point of fact I do not think that the argument is quite correct. The tax levied in Siam is only Rs. 3-9-0 a ton. Rice is now-a-days exported exclusively in the shape of white rice, and the tax on white rice in Siam is, as I have stated, Rs. 3-9-0, and in Burma it is Rs. 5-1-0. This difference of a rupee and a half must be paid by the Burma farmer. Rice is exported from Carolina, Valencia, from the north of Italy, and from Java to London, Rotterdam, Hungary and other Continental parts. It may be true that in the past these rices have not competed actively with rice exported from Burma. I do not think it is quite true, but it is not a matter which I have knowledge enough to develop. This part of the argument is true that Burma rice is a low fellow; he is not welcome at the tables of the well-to-do, it is the people at the lower end of the social scale who are its best patrons, the pig and the Hottentot. The pig is a scientific feeder. He knows all that there is to know about proteids, fats and starches, and if he has a sovereign to spend and he can get more carbo-hydrates in the shape of maize than he can get in the shape of rice, he buys maize every time. Sir, the Hottentot is similar. When he has a sovereign to spend he considers whether he can better fill his stomach with mealies than with rice, and if he can get mealies at a lower price he does not buy rice. The same is true of the housewife in the west. When she goes to buy bazaar and when she is considering what pudding she will give her household, she asks what is the price of eggs, and what is the price of tapioca, and if any of these

enables her to fill her pudding dish more cheaply than rice, then she does not buy rice. So far as I know, mealies, maize, tapioca, sago are not subject to any export tax, and it is a fact not without significance that in the section of a newspaper which deals with market prices the part in which the prices of rice are set out also sets out the prices of tapioca and of sago and makes reference to the prices of feeding stuffs. If the course of business is as I have attempted to describe, can it be seriously contended that the exporter in Burma can add the amount of the tax to the price of rice which he exports? If he does so, no one will buy his rice. They will buy the Siamese rice or sago or some other substitute. If that is so, then the exporter, though he may pay the tax into the Treasury, safeguards himself by paying to the farmer a price which is lower by the amount of the tax than he would otherwise have paid for his rice. The tax is, in substance, a form of land revenue, and it is a bad form of land revenue. It taxes at a uniform rate a basket of paddy grown at a high cost on a sandy soil and the basket grown at no great cost on a retentive loam.

If I am in order, I should like to say something about crime. Sir Charles Innes, in opening the Burma Legislative Council the other day, pointed out that the ratio of murders to the population in Burma was greater than in any other civilised country in the world with one exception. And the Honourable Judges of the High Court in their review of the judicial administration for the year 1926 pointed out that in that year one person in every 100 of the population had been haled before a criminal court on a criminal charge. I do not think that India has any such record, and it cannot be put down to communal disturbances, for Burma is free from communal disturbances. It cannot be put down to lack of vigour in dealing with crime. The Government of Sir Harcourt Butler took very strenuous measures to deal with crime. It strengthened the law and strengthened the magistracy and it improved the police.

Mr. President: Order, order. What has all that got to do with the tax on the export of rice?

Mr. T. Couper: My argument is this. The tax on the export of rice reduces to the farmer the price which he would have otherwise got. The farmer constitutes 70 per cent. of the agricultural classes in Burma, and this tax by taking a crore of rupees out of the country accentuates the economic depression and gives rise to a state of things in which crime flourishes. Sir, I regret that I am not permitted to develop this part of the argument. The Honourable the Finance Member hinted that next year if the monsoon was auspicious there might be a reduction in the general revenue tariff. Sir, I venture to submit, desirable though a reduction would be, it is more desirable to abolish this tax on the export of rice. It is peculiar to Burma, it discriminates unfairly against Burma and works great harm to the welfare of Burma.

The Honourable Sir Basil Blackett (Finance Member): Sir, on the general subject of export duties we had a fairly long discussion on Saturday. I am in entire agreement with the last speaker that there is a considerable difference between the export duty on rice and the export duty on jute. It certainly cannot be contended that rice is the absolute monopoly of Burma and it is the existence of export duties in the other countries which are her principal competitors that seems to me to form a justification, if there is a justification, for the retention of the export

[Sir Basil Blackett.]

duty on rice. The statistics of exports of the last few years do not bear out the contention that this duty is serving to check the export trade or to make it difficult for the cultivator in Burma to compete with Siam or other countries; but I am sure all those who heard him must have been impressed with the speech of Mr. Couper as well as the earnestness of U. Tok Kyi in putting forward his case. For myself I can say that the moment I was convinced that any part of this duty was falling upon the cultivator I should be in favour at once of either reducing or abolishing the duty. I do not think that I can go further than that. We obviously cannot undertake to alter the present position at the present moment, but I am quite willing to agree, on behalf of the Finance Department, that a special investigation will be made in the course of the year into the question of the incidence of this duty to see whether there is justification for the view that it is not falling on the purchaser abroad and perhaps also the investigator will look into the question how far the duty is the cause or one of the causes of the large numbers of murders that take place in Burma.

U. Tok Kyi: In view of the reply of the Honourable the Finance Member I beg to withdraw my motion.

The amendment was, by leave of the Assembly, withdrawn.

*Inadequate and Insufficient Representation of Minorities and the Mussal-
mans in all Branches of the Customs Services.*

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): Sir I move:

"That the Demand under the head 'Customs' be reduced by one rupee."

It appears that the items put down for discussion are not to come up in their usual and proper order and I believe a decision has been arrived at to suit the convenience of the groups in this Assembly as a result of which there has been a reshuffling and re-arranging of the order of demands. I do not know, Sir, whether we, who occasionally seem to be interested in certain items, would be debarred from our say on those subjects. I will not emulate the example of gentlemen who delight in using unparliamentary language and who, when speaking with gusto, forget that they are gentlemen. By this motion for a token cut I do not for a single second question the honesty of purpose of the Government of India to help the minority communities who live in this vast continent. I am second to none in my admiration for what the Finance Member has done for this country and if I may bestow my encomium on him I can say that he would adorn any Chancellorship in any part of the world. This token cut is only meant to be a sort of flapping to the Government of India who seem to have been slumbering for a long time. So far as the subject-matter of this cut was concerned. If I am not incorrect, a subject of this nature was debated on the floor of this House as late as 7th March 1926 at the instance of my friend Mr. Ahmad Ali Khan who then represented the Assam Mussalmans here in this House. One gentleman who represented the Government of India then in this House, and I think it was Mr. Lloyd, said that it was not the case that suitable and qualified Mussalmans were not available but that others were more handy and near at hand. To him a Muhammadan gentleman from Bengal said that if he had any real

desire in his mind he might consult the Central Muhammadan Association in Calcutta and the Assistant Director of Public Instruction. These two agencies were available to Mr. Lloyd and he might have taken advantage of them. I find, Sir, that this instance is not singular in itself. Gentlemen of key position do not or cannot care whether suitable Moslem candidates were near at hand. If they sincerely wanted Moslem recruits, thousands would be available these days. In September 1924 the grievances of Mussalmans in this particular department and other departments were brought before His Excellency Lord Reading. Later on, several deputations of Moslem members waited on the Government and drew attention to the matter and, as a result of these importunities, I find that in March 1927, when H. E. Sir Alexander Muddiman was Home Member, some sort of orders were issued to the departments of Government for giving consideration to the just and proper claims of minority communities in this country. The circular in question directed that the minorities be given their due share of the Government services, but it did not specifically mention that amongst these minorities the Moslems should have a first preference. That particular circular did not make any mention whatsoever of people of my community. That is my grievance. On a perusal of history you will find, Sir, that the attention of Government was drawn to this matter of the representation of minorities as early as 1833. When the Crown first assumed the responsibility of Government in this country they found that practically the whole of the subordinate services in this country were the monopoly of one class of people only and therefore it was decided that one class rule should be discouraged by all means. But if it is said that the Government has not been idle, then how is it that this inequality exists even to-day? Perhaps the answer is that the Government orders and communiqués on the subject are not given effect to by the people to whom they are directed. Perhaps that is natural, there being people of the majority communities at all key posts.

(At this stage Mr. President vacated the Chair which was occupied by Sir Darcy Lindsay, one of the panel of Chairmen.)

That being the situation my humble opinion about this is that even an enactment of this Assembly regarding the representation of minorities and Mussalmans in the services of the Crown would not remove the grievance, because there is a huge monopolistic interest pervading the whole land and they will thwart it at every step. Unless the Government can put pressure on the people to whom their orders are sent I do not think anything will ever come of them. The late Mr. C. R. Das, whose loss we all deplore, declared from his seat as the head of the Swarajists in this country that he would be willing to concede to the Mussalmans their due right in all places in the public administration. But Mr. C. R. Das is no more in the land of the living. He said that he would even go to the length of seeing that the Mussalmans had the opportunity of filling every new vacancy that occurred till they had come into their own. I do not however imagine for a moment that liberal ideas of that kind will be shared by the gentlemen opposite. If this vexed question, Sir, had been taken up in a proper and conciliatory spirit I dare say there would not have been any trouble whatsoever anywhere. So my appeal to the Government and to my friends opposite is this. You must take your courage in both your hands and tell the Mussalmans that you

[Mr. Anwar-ul-Azim.]

do not grudge them their proper share in the administration of the country. Unless this state of things is remedied, I do not know what our position will be. The Budget which Government has published is full of facts, and no one can honestly say that Moslems have any place in this and other Departments of Government. I would conclude by saying that if Government is really sincere with regard to the representation of Mussalmans, they must have the courage of their convictions. I am not willing to believe that they do not desire well of us, but wishing is not sufficient, Sir. If it is known to Government that their circulars are not given effect to, and if even a legislative enactment is not likely to have any effect, I am certain that they must explore other avenues and try to do some justice to my community whose forefathers ruled this country for so many hundred years.

The Honourable Sir Basil Blackett: Sir, the Honourable Member has quite rightly taken advantage of the first opportunity that has come to him to raise the question of the representation of minorities, and particularly of his own community, in the public services. Although the motion that he has made refers particularly to the Customs Department, what he was evidently driving at was not so much the Customs Department in particular as the services in general. We had a debate, as he mentioned, very much on the same subject just two years ago on the same grant, and it was pointed out then that the Government had issued a circular or more than one circular on this subject and were doing their best to see that their instructions were enforced. The Government have no reason to suppose that it is not being followed out. The Honourable Member suggests that there is a power which is too strong for the Government within the offices which prevents the minority communities, and in particular his own community, from getting their fair share of the positions. I would suggest to him that it is a question of a little bit of patience. He knows that his community came rather late into the field, and an argument that is used in another connection and is generally repudiated in this House is equally true here. You cannot make a change of this sort all in a day. If the Honourable Member will have patience, he will, I am sure, see that the Government of India are determined to see that their directions generally shall be carried out. The Government of India have every reason to believe that they are being carried out. We have full sympathy with the demand that reasonable representation should be given to all the minority communities wherever possible in the services of Government with due regard to efficiency. We are doing our best to see that our directions in that matter shall be carried out. More than that we cannot do, and I do not think the Honourable Member has produced any evidence that we are not carrying out to the best of our ability the programme that we have set before us. If the Honourable Member's purpose was to draw attention to this point, I can assure him that the Government have it fully in mind and will not allow it to slip from their memory. In these circumstances I would ask him to be good enough not to press the motion at this stage.

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I am not at all satisfied with the reply given to the question of my friend Mr. Anwar-ul-Azim. I think, Sir, that the

Honourable the Leader of the House has told us nothing new. It is what we have always heard. "Have patience and perseverance and we shall do what we can., We have done all we can by issuing a circular and paying attention to your needs, but you have come late into the field and must bide your time." If that is the argument of the Leader of the House, then why should we not also say that the lip sympathy which the Government of India have shown up to now should be clearly stated, namely, that "though we would like by circulars to show that we have sympathy with the aspirations of the Mussalmans for due representation in the services, we regret we are not able to give effect to it." I think, Sir, the time has now arrived when Government should clearly state their policy and should tell us whether they are going to give effect to the circular letter which they issued to all their departments concerned or not. I do not think, Sir, that the Government are right in saying that my friend Mr. Anwar-ul-Azim should be satisfied by drawing attention of the Government to this matter. He should not be prepared to withdraw his amendment unless a clear assurance is given on the floor of this House. My friend Mr. Anwar-ul-Azim has been charged for not giving figures to substantiate his argument, namely, insufficiency of representation of the Mussalmans in the services. I thought that the Leader of the House, who possesses all the facts and figures, would be able to convince this House as to how far the action of the Government of India on the circular which they have issued has been justified. What steps have the Government of India taken to put forward the claims of the Mussalmans in the various services or their representation in the various services? How can my friend Mr. Anwar-ul-Azim be expected to give figures when the Government of India themselves do not give figures to convince us of the sympathy which they have for minorities and the representation of Mussalmans? I do not think, Sir, that my friend Mr. Anwar-ul-Azim would be well advised at this juncture, without a definite assurance on the floor of this House, to withdraw his motion.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): This is a question, Sir, in which as Honorary Secretary of a big institution I am vitally concerned. I belong to the minority community of Mussalmans and when I see that the Mussalmans, all over India, are so very poorly represented in Government services, I really do wish that Government would take some effective steps to improve their condition. Sir, there are some departments in which you can scarcely find a single Mussalman. I am not going into details as I have not come ready with facts and figures to take part in this debate, but I can mention several departments where Mussalmans are very scarce and this is one of these departments, I mean the "Customs". Sir, representation in services is really the main issue before the Government. There is this joint property of services lying undivided and unless that joint property is justly and fairly divided, there will be no end to troubles and quarrels over shares in this common property. I think it will lead to the solution of communal riots to a great extent if this question is handled in a more methodical way. Sir. I do not believe that the majority of our quarrels and riots arise from purely religious sentiments. I do not believe that the cow question and music before mosques are entirely the cause of all these riots. It seems, Sir, that there is this question of representation in the services behind all these to a large extent. The rioters, of course, cannot say that they are going to fight over the appointment of a Hindu.

[Sir Sahibzada Abdul Qaiyum.]

or a Mussalman to a certain post and have to come forward with the question of cow killing or music before mosque; but I honestly and really believe, Sir, that this struggle for existence is at the very bottom of the whole mischief and it will not only be to the interest of Government but also to the interests of all the communities living in the country, if this question is settled once for all in a more constitutional way and remains part of the law of the country. Sir, I think that according to the belief of the majority community, service is not held very high in the estimation of their society. Among them service is nicknamed *chakari*, and *naukari* is really *chakari*; so I do not believe that there should be any extraordinary craving for this *chakari* in the majority community; they have got other resources to improve their condition with, I mean capital, and if they really command the capital of the country, they need not fight so vehemently for the few extra jobs that may come to their share. Let the poorer people of the minority communities take up this lower profession, I mean *chakari*, and allow the trade and the finances of the country to be run by the majority community. Sir, we are told from time to time that Government are hearing the claims of the minority communities, and especially of the Mussalmans, in mind, but as the latter are backward in education they must be handicapped in securing proper representation in the services. That, Sir, I think is a very old argument. Now-a-days, in every community in the country there are hundreds and thousands of people who are capable of doing any work that these services require and if the matter is properly settled there will be no trouble. Sir, I can make my suggestion about this in a very simple way, and it is this. If definite proportions are fixed for the various communities, the majority and the minority communities, in the country, and if the minimum qualifications for every appointment from the Executive Councillor right down to the lowest peon are fixed and if a test is held of all the candidates for these appointments and a list of all successful candidates is prepared and hung in every office and the head of the office is directed to select his probationer from that list in his office, the difficulty will be solved. But when you leave the selection and the testing of the qualifications of a candidate to an officer, an officer who either belongs to one of the communities or an officer who to a great extent depends on the good noting of a member of one community, you cannot expect that officer to make himself uncomfortable by going against the wishes of his head assistant and selecting a candidate who will have to work under the unsympathetic members of that office. These are the difficulties which have to be faced by members of the minority communities seeking service in the Government Departments and unless a strict law is made by which the officer will have to confine himself to the selection of his men within a certain proportion, from the list before him of accepted and qualified and tested candidates, you can never improve the existing position; and we shall be always hearing this excuse that "you are late in the field or backward in education and so cannot get your proper share in Government services." I will once more repeat my point, Sir, that it is to the interest of Government and to the interest of all concerned that this division of the loaves and fishes of the services should take place as early as possible and be settled once for all, so that it may lessen these communal troubles and frictions and reduce quarrels in the country. With these words, I support the amendment.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Sir, my Honourable friends have urged the claims of their community and their grievances with regard to the public services and their community is the largest minority community in the country. I therefore feel that it is my duty as a representative of the third largest community in this country to put forward what I think is the just grievance of my community. I do not for one moment ask that we should be given any special privileges. . .

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): On a point of order, Sir, this cut clearly shows that the intention of the Mover was to represent the insufficiency of representation of Mussalmans only in the services and not the representation . . .

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Minorities and Mussalmans.

Several Honourable Members: Minorities and Mussalmans.

Mr. Chairman (Sir Darcy Lindsay): Mr. Chatterjee.

The Revd. J. C. Chatterjee: My community, Sir, do not ask for any special privileges nor for anything special, but we do take our stand on the principle which has just been stated by the Honourable the Finance Member and the principle which Government are always putting forward, namely, the principle of efficiency and fitness for any particular post. But judging from that, Sir, I believe my community does not get its right share either in the particular service that is now under discussion or in the public services of the country, in the Legislatures, the Army or even local bodies. If Government do take their stand mainly on the principle and the test of efficiency, all that I plead on behalf of my community is this, that when a man is efficient and qualified for any particular post he should not be debarred from holding it because of the particular religion that he professes or because of his belonging to a particular community, specially if that community happens to be small in numbers and therefore does not receive its due attention from the Government or the Legislatures. If it were possible to give figures at this time, I would be able to show that my community, although it is one of the highest literate communities in the country, does not get its rightful share in all departments of public service and public activity. All that I ask at the present time is that when these appointments are made or when the division of seats on Legislatures or on local bodies is made, nobody should be made to suffer because he belongs to a particular community. At the same time I would also say that there are instances when men in public service have been kept back from receiving that advancement which is their due share not because they were not fit or efficient, but because they belonged to a community which was politically not considered important. That is what I want to draw the attention of Government to, that people belonging to a small community like the one which I represent do not ask for special privileges but they do ask that in the name of justice, in the name of good government, they should not be kept back from receiving their due advancement or from their due share in the public services, Legislatures and local bodies in this country.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I have great sympathy with those communities who generally complain about want of

[Mr. N. M. Joshi.]

representation in the public service. I feel, that it is necessary that all communities in the country should be able to share in the public services that are open to the people of this country. I also agree with my Honourable friend Sir Abdul Qaiyum that if we analyse the causes of the communal strife in this country, the main cause will be found to be this fight for the jobs in the country. It is on account of this fight for the jobs, in which the educated communities are concerned, that the educated communities rouse the passions of the illiterate masses of both the communities. I am quite sure the illiterate masses, be they Muhammadans or Hindus, stand to gain nothing by this fight for the jobs. They are not going to get any of the jobs for which attempts are being made in this House as well as in the Press. On the other hand, it is educated people of both the communities who want to monopolise the jobs and they excite the masses by taking advantage of their religious devotion. We must therefore do our best to remove this cause of communal strife. If the jobs are fairly distributed among the different communities in the country, communal strife will be over. Sir, I come in contact with a large number of working class Muhammadans and I have found that they are not interested in the distribution of the jobs at all because they know themselves very well that their sons and their daughters are not going to get any of the jobs for which this fight is being made. But lecturers go to them and tell them: Here is the Muhammadan community which does not get its due share; or the members of the backward classes go to their own class and say: Here we are and we do not get our share. I think, Sir, that to some extent this complaint is justified. The sooner, therefore, we take steps to remove this complaint the better for the country. I also admit that in our country or perhaps in all countries, when one community gets an advantage as regards entrance into service over the other, it becomes difficult for the other communities to get their due share. Perhaps this may be more acute in India than anywhere else on account of the religious differences, but the fact cannot be denied that when one community gets an advantage in any department of public service, it becomes difficult for other communities to get their due share. Let us also admit this fact, and it does not happen as regards the Hindus alone that they do not allow the Muslims to come in, but it also happens in one community of the Hindus as against the other communities among the Hindus. Not only that, when the Muhammadans have a monopoly it becomes difficult for Hindus also to get in. I come into contact with people who get jobs on ships in Bombay and I find that some seafaring Hindu communities are practically going out of service simply because the Muhammadans have a preponderance in that service. So it is not the Hindu community only that takes advantage of its prior entrance into a service. Every community does it. We must therefore take steps to see that this advantage also is not taken. But, Sir, I want to say one or two words to the backward communities who claim their share. It is not always right to blame either the Hindus or any community which is at an advantage for the difficulty which stands in the way of the other communities getting into the service, because in our country there is not only the majority communities and the minority communities, but there is the smallest minority community which holds political power in our country. Most of the important jobs are not filled by the Hindus. Most of the important jobs are filled by the Europeans. So it is not the Hindu really who prevents

the Muhammadan from getting it, but it is the European. Moreover, if the Muhammadans and the backward class Hindus, the community which is represented by my friend Rao Bahadur M. C. Rajah, think over the question it is quite possible that they may come to the conclusion that there are some other reasons which make it difficult for them to get their proper share. My own view is, Sir, that the reason is the backwardness in education of these communities. It is very easy to say that certain minimum qualifications should be laid down and then the jobs should be divided amongst the different communities. But certainly nobody is going to do that. I am quite sure my friend Mr. Fazal Ibrahim Rahimtulla himself will not do it in his own office.

Mr. Fazal Ibrahim Rahimtulla: I wish I was managing a Government Department.

Mr. N. M. Joshi: Sir, I am thinking of his managing his own office—if he has a vacancy to fill.

Mr. Fazal Ibrahim Rahimtulla: Sir, I think I have been misunderstood. The point is that Government say they have issued a circular. I wanted them to carry out the terms of that circular. I have not issued a circular in my office.

Mr. N. M. Joshi: Well, Sir, I think my Honourable friend, though young, should learn to have a little patience and hear others. I was saying, Sir, that even a good Muhammadan like my friend Mr. Fazal Ibrahim Rahimtulla, if he advertises for a post and if he finds that there are two applications, one from a Hindu and one from a Muhammadan and if he finds that the Hindu boy and the Muhammadan boy hold the same minimum qualifications, but the Hindu has a decidedly better qualification, he may prefer him.

Nawab Sir Sahibzada Abdul Qaiyum: Better qualification inherited from heaven, you mean.

Mr. N. M. Joshi: I am not talking about heaven. But my Honourable friend Sir Abdul Qaiyum as the Leader of his Party will realise. . . .

Nawab Sir Sahibzada Abdul Qaiyum: I am not the Leader of the Party. It is Sir Zulfiqar Ali Khan.

Mr. N. M. Joshi: You are not. Then I was mistaken. Sir, he will realise that if there are two applications from boys who have passed the matriculation examination, there may be a difference in the handwriting if you are employing a clerk, there may be a difference in the capacity to typewrite letters, there may be a difference in their knowledge of English, there may be a difference in several other qualifications. And the employer is going to select the man with the best qualification. Therefore, my Moslem brethren and the other backward communities among the Hindus also

Maulvi Muhammad Yakub: We are not a backward community. I protest strongly against this term being applied to the Moslems. They are the foremost in the country and have always been the foremost—in education, in learning and in culture.

Mr. N. M. Joshi: Sir, if my Honourable friend really feels that his community is the most forward, then certainly he should not take a

[Mr. N. M. Joshi.]

stand that there should be a minimum standard laid down. Then the youth of his community must be able to compete with the youths of other communities.

Nawab Sir Sahibzada Abdul Qaiyum: We want to remove the monopoly.

Mr. N. M. Joshi: Sir, I have a suggestion to make. I know that the suggestion does not meet with the approval of the educated among the minority communities because they want to get Government jobs easily. They do not want to qualify but they want to get jobs more easily. Sir, I do not think it is in the interests of the minority communities that they should take up this stand. What I suggest to them is this, that it is open to them to ask for more and better educational facilities in order that the youth of their communities should compete with the youth of other communities on equal terms. Sir, I come into contact with a large number of Muhammadans, both working class Muhammadans and educated Muhammadans, and although my Muhammadan friends here may not have sufficient confidence in the intellectual competence of these Muhammadan youths, and though my friends like Rao Bahadur M. C. Rajah may not have sufficient confidence in the intellectual capacity of the youths of his community, I have sufficient confidence in their intellectual capacity to say that, if Muhammadan youths get the same facilities as Hindu youths, they will be able to compete with the Hindu youths without the least difficulty. I therefore suggest to my Muhammadan friends, let them by all means ask for their due share in the services but they will not succeed in getting it unless they insist that the Muhammadan youths should have special educational facilities in order that they should be able to compete with the Hindu youths on equal terms. Sir, this is the only way in which this difficulty can be solved. If there are some jobs going, say, for the postal service, or for the customs service, and if you have a sufficient number of Muhammadans who have got a First Class or Second Class or Honours in the B.A., I am quite sure that the Europeans who will have the authority to fill the posts will give preference to the Muhammadans.

Nawab Sir Sahibzada Abdul Qaiyum: But they must follow the advice of their Head Assistants to a great extent.

Mr. N. M. Joshi: Sir, in our country the Executive Councillor is a European. The Secretary is a European. The Deputy Secretary is a European. The Under-Secretary is a European. And sometimes the Assistant Secretary also is a European.

The Honourable Sir Basil Blackett: Can the Honourable Member name any Department of which this is true?

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indian): What about the Education Department?

Mr. N. M. Joshi: Well, Sir, I do not wish to take up that challenge.

Lala Lajpat Rai (Jullunder Division: Non-Muhammadan): The Political Department, the Army Department.

Mr. N. M. Joshi: My point is this.

Lieut.-Colonel H. A. J. Gidney: Withdraw.

Mr. N. M. Joshi: I do not propose to withdraw. My point is this that if this question is to be solved—and I think myself that this question should be solved because I am interested in the working classes and I find that these poor working class people are misled by the educated members of their communities—the Hindu working class and the Muhammadan working class people have to co-operate, but unfortunately sometimes these people arouse their religious fanaticism and come in the way of the solidarity of the working classes. I am therefore anxious that this problem should be solved and I am anxious that all the communities, Muhammadans, the depressed classes, the Maliratas and all communities should get their due share, but I feel, Sir, that that question will be better solved if all these communities will insist upon better educational facilities. If the Muhammadans insist that 100 boys belonging to the Muhammadan community should be sent either to Cambridge or Oxford every year and if they will cost 50 lakhs of rupees they will have at least my vote, though they may not get the votes of other Members. If they insist that 100 Muhammadan boys should be sent to the Engineering Colleges in India and if that will cost 30 lakhs of rupees, they will have my vote. If they insist that 100 boys from the Muhammadan community should be sent to the Medical Colleges in India and that will require 30 lakhs more, they will have my vote. I feel, Sir, that this is the only way in which this problem will be solved, and my Muhammadan brethren should take their courage in both hands, should have confidence in the youth of the community, and demand that the Muhammadan youths who want entrance into the public service will not suffer for want of money, in order that they should go to Oxford and Cambridge, in order that they should get entrance into the Medical Colleges or the Engineering Colleges, or any other professional colleges, and I am quite sure that this problem will be solved.

Nawab Sir Sahibzada Abdul Qaiyum: It must be noted, Sir, that I never said that there was a lack of fully qualified Moslems.

Mr. N. M. Joshi: But I said it.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): As a member of the Congress Party I have always avoided, and wish to avoid as much as possible saying anything communal. Now that this question has been raised and some sort of heat has been produced between Hindus and Muhammadans I must say a few words. I take objection to what the Honourable the Leader of the House has said, namely, that the Muhammadans having come in late, they should wait. That is not the position. If we have come late, better late than never. Look at the Aligarh University. Look at the number of Muhammadans who come from England from the Oxford and Cambridge Universities. If you look at all these facts, you must now say whether the Muhammadans are eligible, qualified and efficient. Do not make an excuse by making the statement that the Muhammadans came late and therefore they must wait. That is not the point at all. What I mean to say is that the Honourable the Leader of the House and the Government should fix some proportion for removing the grievances of the Muhammadans and of the other different classes of the minority communities. But, Sir, the economic question is the chief and fundamental question. There is no doubt that many political questions

[Khan Bahadur Sarfaraz Hussain Khan.]

and other differences are being settled between Hindus and Muhammadans. But the chief question to declare is whether Muhammadans are efficient. The Honourable the Leader of the House has said that Muhammadans have come late and therefore they should wait. But this is not the point. Let Government see if they are really qualified and make an announcement. I do not say that a Muhammadan should necessarily get support because he is a Muhammadan. They are qualified and there is ample evidence that they are qualified. From what I know, I find Muhammadans qualified even in banking and other businesses. The fault of the unemployment may not be due to the Government but may be due to some of the officers there. Government must have some distinct policy and press the claims of eligible and qualified Muhammadans. That is the point on which I put my case. (*An Honourable Member: "Sikhs."*) It may be Sikhs or any other community. My friend Lala Lajpat Rai has put the Hindu-Muhammadan question into his own motion.

Lala Lajpat Rai: Just to point out that there is the other side also.

Khan Bahadur Sarfaraz Hussain Khan: Don't shout. I have already said that Muhammadans should not be given a place simply because they are Muhammadans. What I say is that I take objection to the Honourable the Leader of the House saying that because the Muhammadans came late they must wait. That is not the position. Let him examine the matter fully and if he finds that Muhammadans are qualified and efficient, he must decide on a definite policy. He must decide one way or the other so that his subordinates may not have a chance of manipulating the matter. That is all I have to say on behalf of the Muhammadans and on behalf of the other minority communities.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Honourable Sir, I had no intention of intervening in this kind of debate because I am never in the habit of looking at the public administration of the country from a communal point of view. (Hear, hear.) I have been long in public life; I have been making speeches in public life; and I hope it will never be said that any of my speeches or any of my actions in public life could be construed to mean that I wanted that the public administration of the country should be looked at from a communal point of view. I can never be charged of that. It was news to me that my friend Sir Abdul Qaiyum said that these Hindu-Moslem disturbances—of which His Excellency the Viceroy spoke only a few months ago that they were on the verge of developing into a civil war—that these disturbances were not due to religion or religious feeling. It was news to me. I was surprised to hear that. I always thought that the Government passed orders prohibiting Hindu music because they always believed that the Moslem's grievance was religious—I have personal experience of it—I always thought that the Mussalman community, in opposing the processions of Hindus, were inspired by a religious feeling—may be a misunderstood feeling; may not be a right feeling; may not be a well-educated, intelligent feeling about religion, but at least I was always of this opinion that it was religious feeling, it was under religious conviction, that they were opposing these processions of Hindus; and here I find my Honourable friend Sir Abdul Qaiyum, the Leader of his Party, come before this House

Dr. A. Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Leader of which Party?

Mr. K. Ahmed. (Rajshahi Division: Muhammadan Rural): He is not a leader now as he has resigned.

Dr. B. S. Moonje: At least I have always regarded him as a leader of the Moslems. I was surprised, therefore, that this leader of his community should come here before this House and in all seriousness and sincerity tell us that this Moslem objection to Hindu music is not based upon religious reasons. Government have got to take note of this fact and to make up their minds in passing their orders

Nawab Sir Sahibzada Abdul Qaiyum: Similarly, Sir, I believe that the objection to the slaughter of cows is not really based on religious sentiments but it is part of the dominance and the kind of Swaraj that the Hindu community wants to establish over the Muslims. (*An Honourable Member:* "You are wrong".)

Dr. B. S. Moonje: I am very glad that he has raised that question from that point of view. I will just come to that. I have a word to say to the Government that henceforward Government will take note in passing orders as regards religious processions of Hindus that the Mussalmans are not inspired by any kind of religious sentiment, and if orders are passed prohibiting Hindu music, it will be said that the Government are intentionally fomenting Hindu-Muhammadan trouble because the Mussalmans have no religious sentiment on that question. As regards the cow question I do not think that my friend Sir Abdul Qaiyum is so ignorant about the real sentiment of the Hindus in this matter

Nawab Sir Sahibzada Abdul Qaiyum: Why make a difference between the two? If you have sentiments about the cow, we have religious sentiments about music before mosques too.

An Honourable Member: Why this passion?

Dr. B. S. Moonje: I am not importing any passion. I am not

Maulvi Muhammad Yakub: May I know, Sir, if we are discussing the cow question now in the Assembly?

Dr. B. S. Moonje: That question has been raised, and if the House and my friend Maulvi Muhammad Yakub are not in a mood to listen to my reply, I am not very anxious to give my reply.

Maulvi Muhammad Yakub: If the question was wrongly raised, I do not think it would be permissible to go on debating a point that was wrongly raised. In fact it was not in the speech about the cut.

Mr. Chairman (Sir Darcy Lindsay): I suggest to Dr. Moonje that he should confine his remarks more to the amendment before the House which is inadequate and insufficient representation of the minorities and the Mussalmans in all branches of the Customs service.

Dr. B. S. Moonje: I am sorry that I have been misunderstood about these communal questions. The causes that have been given are two. The first is the unequal distribution of the loaves and fishes of the Government. It has also been said that it is the leaders and the educated classes that go and excite the masses of every community. I have been working

[Dr. B. S. Moonje.]

in the midst of the Hindu community. I have never known yet myself or any body else of my community going among the masses and exciting them because they have not had a sufficient proportion of the Government loaves and fishes.

Dr. A. Suhrawardy: Ask Mr. Joshi.

The Revd. J. C. Chatterjee: Mr. Joshi said that.

Dr. B. S. Moonje: If Mr. Joshi has said that, Mr. Joshi will have to substantiate it. If that is the idea of Mussalmans, I am here to refute it. If the Mussalman religious sentiment is not concerned I do not know how it is that the masses are excited to fight with the Hindus on questions of religious music and processions. The responsibility at the present moment of the Government of this country is entirely with the Britishers. They know their business well and they can look after this affair of the distribution of the loaves and fishes as they think best. If they will take our advice, we are prepared to give it to them, but they are not in a mood to care for advice from us. One thing however is certain of which my Honourable friends here, the Mussalmans, Hindus and other communities must take note, and that is when the responsibility of the Government will be transferred to the people,—we must know that clearly and definitely,—at that time the administration of the country will not be carried on on communal lines. The loaves and fishes of that Government will not be distributed on communal considerations.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): That Government would want a widow's cruse.

(At this stage Sir Darcy Lindsay vacated the Chair which was resumed by Mr. President.)

Mr. Fazal Ibrahim Rahimtulla: There will be riots.

Dr. B. S. Moonje: If there be riots, there are people who can stand those riots. If there are riots there are people who will put down those riots . . .

(At this stage Nawab Sir Sahibzada Abdul Qaiyum rose in his place.)

Mr. President: What is all this heat for?

Dr. B. S. Moonje: But one thing is certain that when the responsibility of the administration will be transferred it will not be carried on from the communal point of view and the loaves and fishes of that administration will not be distributed on communal considerations except on merit and open test, and whoever may stand that open test he will have the loaves and fishes.

Mr. President: I do not think all this is relevant to the narrow issue raised by the proposed cut.

Dr. B. S. Moonje: I have done, Sir.

(Dr. B. S. Moonje then resumed his seat.)

(Mr. W. M. P. Ghulam Kadir Khan Dakhan (Sind: Muhammadan Rural) made a speech in the vernacular, a translation of which appears as an Appendix to these proceedings.)

Mr. President: The question is:

“That the Demand under the head ‘Customs’ be reduced by Re. 1.”

The motion was adopted.

Mr. President: The question is:

“That a reduced sum not exceeding Rs. 72,73,999 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Customs’.”

The motion was adopted.

DEMAND NO. 17—TAXES ON INCOME.

The Honourable Sir Basil Blackett: I move:

“That a sum not exceeding Rs. 65,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Taxes on Income’.”

Conditions of Recruitment, Qualifications, Pay and Promotion of Officers in the Income-tax Department, Bombay.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): I move:

“That the Demand under the head ‘Taxes on Income’ be reduced by Rs. 15,000.”

As stated in brackets, I wish to draw the attention of the Finance Member to the conditions of recruitment, pay and promotion of the officers of the Income-tax Department in Bombay. Sir, this is only a point of inquiry and probably my needs will be met if the Finance Member will give me the necessary information which I shall seek to ask from him in the course of a very short speech. Some time ago I put down a question and got in reply to that a statement showing the strength, pay, position, gradation, etc., of the income-tax officers in the Bombay Presidency. I had an idea that the recruitment to these posts was not done on any systematic basis. I was told that there is no regular examination or test by which people could be recruited into this department. I was told that there was no regular system of promotion. I was told that the head of the department in Bombay enjoyed a large patronage in his hands and that people were being promoted without rhyme or reason. I have no personal information on these matters and therefore I put down a question asking for a whole statement. That statement was supplied to me by the Income-tax Department and they have given me most of the necessary details. The list contains about 55 names and I have taken some trouble to analyse the list and put down the names in that list according to seniority of service. I have analysed them according to years, service put in, etc. After seeing what qualifications were possessed by people holding those posts of income-tax officers, I found that there was something in the complaints I had heard. I think the department owed it to themselves to supply me with further information on the points which were obvious from the very nature of the question I had put in and the nature of the statement they had supplied. There should have been no difficulty for them to find out with what motive I had put the question, and if they had given me clues as to the system of recruitment and promotion, etc.,

[Mr. N. C. Kelkar.]

my purpose would have been satisfied; but as no other clues were provided to me I have necessarily to raise this point in this formal manner, though my point is one of inquiry only. I have no definite complaint to make against any particular person.

The first point that I want to bring to the notice of the head of the Income-tax Department is this. It seems from the statement that there is no minimum qualification required for entry into the service. By service I mean the service of the higher grade of income-tax officers which carries a minimum salary of about Rs. 300—not a small salary. Then, as I find from the analysis, there are 20 matriculates, 3 school finals, 21 University qualified men, 5 of them being B. Com. and 16 Art graduates, one man with a foreign university qualification, three men with foreign accountancy qualifications and 9 people who have passed the revenue examination, higher or lower. That by itself shows that there is no system by which recruitment is made, unless of course there is any explanation which goes deeper than the surface and tells us on what principle recruitment is made. I have grouped the figures under different headings: non-university qualification men, university qualification men, other qualification men. When I look into further details as to the starting pay and the promotion they receive and the salaries they now enjoy, I do not find any rhyme or reason and that leads me to suspect that there must be—I cannot put it higher than that—want of discretion and want of proper observance of guiding rules in the matter of promotion. As I have arranged the figures from the point of view of length of service, I find that only latterly a sense of propriety in this respect has been dawning on the department and the recruitment in the latest years shows that University qualifications are being given some attention to. Of course that may not have been possible in the earlier days, I do not know, but I really do not see why there should not be a regular entrance examination for this department and a minimum public test prescribed. I cannot take it further than that and say that this must necessarily be submitted to the Public Service Commission examination. I do not know whether the qualifications required for the service are of such great importance that the examination should be handed over to the Public Service Commission. I think there must be some test—I do not know whether there is—but that is the matter of inquiry from me. If I go into the thing name by name I could point out that there was a certain method in the madness of irregularity, but I do not obviously like to do it, as when one begins to mention names, one has necessarily to be odious. I found that from recent experience. In the case of the Railway Budget I simply said that Parsi guards and engineers were appointed on the Bombay, Baroda and Central India Railway but I was misrepresented not only by outside people, for whom there might be some justification, but by the Railway Member himself. He in reply said: “You are complaining against the Parsis having a monopoly of this particular service”—which was not the fact. I really mentioned it as an illustration of Indians as against non-Indians. For that reason and some other reasons also I do not want to mention any names but I would only refer to them as A, B, C, and so on. Government have got the statement they supplied to me themselves and if they look into it they will find if there is any justification for the complaint I am making. I do not want to take up the time of the House with figures, but I am prepared in a private manner to hand over the analysis

I have made to the department and they obviously know what my complaint is and what is the nature of the information I want. Therefore, first of all, if I am told what are the conditions of recruitment, then mostly my purpose will be served. Gradation and promotion are matters which may be explained properly or may not be explained properly, and I do not believe that even the head of the department sitting here will be in a position to give me all the information that is needed. I can trust to their sense of fairness to take up this question in the spirit in which I have put it before them and refer the matter to the head of the department in Bombay. My object is to draw attention to the fact that there is a complaint that unfair treatment is meted out to the men of the Department in the selection of the people for the highest posts in the service. I have laid these two or three points before the Honourable the Finance Member and leave the question in his hands. I shall be satisfied with such information as he may be prepared to give me.

The Honourable Sir Basil Blackett: The Honourable Member has put forward what he has to say in a very reasonable manner. Notice of this particular cut did not reach me until Saturday afternoon and I am afraid I have not had time to look into the details. I think perhaps the simplest way will be to promise at once that the Department will be glad to go into the question with Mr. Kelkar with a view to understanding just what objections he thinks exist against the present system and what complaints there may be. I have no reason to suppose that the system is open to any special objection or that it is not working extremely well. Appointments are made by the Commissioner of Income-tax subject to the approval of the Local Government. The last two Commissioners of Income-tax, Mr. Hartley and his successor, Mr. Vacha, are very competent people in whom we have every reason to put our trust. A good many of the men with low paper qualifications, of whom Mr. Kelkar has spoken, are, I think, junior men who are promoted subordinates who have demonstrated their aptness for income-tax work by the best of all tests, by working in the Department. Before an income-tax officer is confirmed he has to undergo a departmental examination in law and so on, and actual experience of a man's work is, I submit, sometimes even more valuable than academic qualifications. However, I am not in a position to answer in detail the points which Mr. Kelkar has raised. I think that his convenience and mine and that of the House will all best be served if I undertake that the points he has made will be immediately followed up by the Department.

The motion was, by leave of the Assembly, withdrawn.

Grievances of the Assessee.

Pandit Thakur Das Bhargava (Ambala Division. Non-Muhammadian):
Sir, I move:

"That the Demand under the head 'Taxes on Income' be reduced by Rs. 10,000."

Sir, one feature of the Income-tax Department is that its officers are very anxious to increase the income year by year. Every incumbent of the post considers that it is his pious duty to augment the income of this Department by hook or by crook. A new man coming to a district joins his post under the idea that many sources of income are still untapped, and when he arrives in the district he begins his exactions afresh. I do

[Pandit Thakur Das Bhargava.]

not know if in this Department promotion is conditional on an increase in revenue; but anyhow this new feature is there, that every person who belongs to this Department has a fixed determination to increase the income of his department, irrespective of the fact whether particular trades or professions are showing an increase in their own incomes. As soon as any person receives a notice from the Income-tax Department he receives also a form which he has to fill in. Now that form is so complicated that I doubt very much whether all the Members of this House would be able to fill in that form correctly. And if by chance that form is not put in at the required time then the assessee loses his right of filing any appeals. In practice it usually happens that many people do not keep regular account books, especially the village people. In the Punjab the custom of the village people ordinarily is to keep one account book. When that account book is shown to the income-tax officer he can very easily discredit it; he may say there is no *Rokar Bahi* along with it and that is quite enough to discredit that *bahi*. When that is done the assessee is at once at his wits' end; the Income-tax officer can do what he pleases. And this is not so only in the case of those who keep one *bahi*. It is not rare to find that even those who keep three sets of *bahis* are harassed in the same way. I can understand that there may be a certain kind of presumption against those who, while in possession of accounts, do not show those accounts to the income-tax officer. But the principle of law which is generally ignored in practice is that the burden of proof is always upon the income-tax officer who assesses a particular person to show that he is entitled to tax that person for a particular amount. But in practice, when a person is unable to produce accounts, the burden of proof shifts, and unless that person can prove that the secret information of the income-tax officer is wrong, he is assessed arbitrarily at such amount as the income-tax officer chooses to assess him at. Then the question of appeal comes in. If a person has not filed any accounts he is not entitled to appeal. I deprecate very much this system of teaching the public to keep accounts by the Income-tax Department. If it is proved in a particular case that a person has got no accounts, it does not stand to reason that he should be penalised for not having the habit of keeping accounts. In the first place as regards appeals, the assessees have to go too long distances to file appeals. They have to engage counsel and incur very heavy expenses. Then as regards appeals, the same tendency is to be found in the superior officers as in the income-tax officers of the inferior grade. "Himself the accuser, himself the judge" is a principle which is unknown to justice. One income-tax officer assesses a person and then his superior officer, who is as much interested in an increase in revenue, hears the appeal. It is therefore not surprising that appeals are dismissed in a very unsympathetic manner. So far as the question of a reference to the High Court is concerned, a reference can only be made on a point of law. In the ordinary course of things, if there is a decree for even one rupee, the people can take the matter on appeal to the regular courts; but in the case of income-tax the appeal is to an executive officer and not to the regular courts. So that, practically speaking, the provision in regard to appeals is very illusory, and people are taxed in an arbitrary manner. In fact the House will not be surprised to know that even in years of commercial depression when particular trades are working at great loss,

income-tax officers have their own way of taxing those particular trades. They do not take the trouble of going into the accounts and finding out what the real income is, but they fix a certain percentage of income, they conclude this must have been the amount which has been realised by a dealer in a particular article and they assess accordingly. This system of taxation works great hardship to particular people. In fact the whole department seems to be obsessed by the idea that it is the proper function of this department to show an annual increase in income, and this wrong idea is at the basis of the whole mischief. I would therefore move that the Demand under the head "Taxes on Income" be reduced by Rs. 10,000.

Mr. M. S. Aney (Berar Representative): Sir, I have given notice of a motion of a similar nature and I think it would be better for me to speak on this motion itself. Some of the points which my friend Pandit Thakur Das Bhargava has made out will be borne out if we look at the figures which have been published by the Central Board of Revenue in their Income-tax Annual Reports. That there is a tendency to over-assess will be manifest to everybody from the enormous amount which has to be refunded annually. I will just draw the attention of the House to the figures showing the annual demand and the amount of refunds made for the years 1923-24, 1924-25, 1925-26 and 1926-27. The annual demand for the first year was Rs. 13,08,78,718 and the amount for that year refunded is Rs. 1,48,73,738. The demand for 1924-25 was Rs. 12,22,02,868 and the amount refunded Rs. 1,15,70,221. In 1925-26 the demand was Rs. 12,87,72,674. and the amount refunded Rs. 1,48,46,099. So also in 1926-27 the demand shown was Rs. 13,04,60,161 and the amount refunded Rs. 1,67,48,237. The point is that an amount approximating on an average to 150 lakhs has to be annually refunded, while the demand stands somewhere between 12 and 13 crores. This is a pretty large amount that has to be refunded. It means that this demand is reduced by that amount ultimately, and then we get the net figure of what is known as the net demand. Even if we are to compare the figures of the net demand and the actual collections made, we find there is a difference of about a crore. I do not want to enter into detailed annual figures of the net demand and the actual collection; but there is a difference of nearly a crore annually in every one of these years; and between the demand made and the net demand there is always a drop of about 150 lakhs. That means that between the original demand and the actual collection there is a difference of something like Rs. 2 crores and a half. This amount of two crores and a half in my opinion represents the excess which the department wanted to extort from the assesseees. That is how I look at these figures. One point which I wish to press particularly is this. When you make a demand and the returns are filed, the demand is realised by the income-tax officer. And then this amount of refund is ultimately returned some time later to them as a consequence of appeals or revisions. Between these two different periods, the date of collection of the money and the date on which the amount is refunded, it must be a period of several months. That means that annually 150 lakhs of rupees of the country's capital is locked up with this department and not available for trade and commerce to those on whom this tax mainly falls. It is absolutely necessary, therefore, that there must be some system devised whereby this discrepancy between the demand as originally made and the net demand ought to disappear gradually. Under the present system there is, I believe, scope for this sort of thing.

[Mr. M. S. Aney.]

So far, Sir, I have only referred to the figures of income-tax; I have not referred to the figures of super-tax. They will go to make an addition of more than 12 lakhs per year to the amount of refunds

Another point which I wish this House to notice is this: that the income-tax officer is not in a position really to know the amount on which the tax is to be levied. He is not inclined also to accept the returns of the assessees. The figures of returns filed by the assessee and the number of returns which have been accepted by him for the purposes of assessment are also very interesting. The returns of income filed by the assessees for the year 1926-27 were 267,036. Out of this, only 81,477 were found as correct. In the cases of the remaining returns, the income-tax officer was entirely dissatisfied and he had to assess these persons on the basis of something else than the returns filed. This is a very horrible state of things. It means either that there is extraordinary difficulty in properly filing the returns, or there is a tendency on the part of the income-tax officers not to accept the returns generally. It is for the Government to find out which of these two alternatives is correct. What the figures disclose is that there were only 87,000 cases in which returns were capable of being accepted by the income-tax officer. Does this not disclose a state of things which requires to be carefully considered by those who are responsible for the administration of this department? That is one thing.

Secondly, another point in this connection to which I wish to draw the attention of the department is that there are cases in which accounts are called for; either these accounts are voluntarily submitted or they are called for. Now, the total number of cases in which accounts were submitted by the assessees voluntarily or on being called for is given in the report as 156,366. Now, not only were the returns submitted in these cases but the accounts also were submitted with a view to substantiate the figures in the returns. What do we find? Out of 156,366 persons who submitted their accounts, the income-tax officers could only accept 97,383 account-books as correct for the purposes of assessing the tax. In the case of the others, the department treated them as unreliable and incorrect. That means one of two things; the officer has rejected them as incorrect or unreliable. Now, Sir, this is a very serious matter. From the experience I have got at the bar, notwithstanding that there is a general tendency to discount the accuracy of accounts kept by these shopkeepers, small traders and merchants, I am in a position to say that out of 100 cases of account-books put in civil courts, 90 at least are found to be correct and reliable. But the income-tax reports give a percentage which shows that these merchants and traders are in the usual habit of keeping false accounts. That is what it means. I do not know whether directions are issued by the Income-tax Department in regard to this matter—directions to which reference has been made in the Income-tax Report, *viz.*, that the income-tax officer should not insist upon his own method of accounting. He must be prepared to accept the accounts as prepared and maintained by them unless there is some specific reason for him in any exceptional case to regard the same as fraudulent or dishonest. That remark has been made in the report either for 1925-26 or 1926-27. There is a special instruction issued to that effect; but if in

spite of this instruction we find nearly 58,000 account-books have been treated by the Income-tax Department in India as unreliable or fraudulent. I maintain, Sir, that this is a matter for serious inquiry. The real trouble in my opinion is that besides being called upon to do their normal duties as assessors of this particular tax, there is a constant goading going on from time to time from the superior officers to the effect that there is a special responsibility upon them to discover new assesseees every year. And, Sir, it is their zeal for discovering new assesseees that is in my opinion mainly responsible for the sort of treatment that is meted out to those who have the unenviable misfortune to submit their accounts and returns to the income-tax officers. Not only is it the duty of these officers to collect the tax, but something more is expected of him—a point to which my friend, Pandit Thakurdas Bhargava has already referred. On this point of discovering new assesseees there is a significant passage which I find in the report of 1925-26. It says:

“One of the most important duties of the Income-tax Department is to discover new assesseees in India who have hitherto escaped taxation. Since the Income-tax Department in India does not pay rewards to informers, it depends for the discovery of new assesseees entirely upon the vigilance and honesty of the staff, etc., etc.”

This is a point to which their attention is drawn repeatedly. Now, what was the result of this instruction? In the next year we find that there was something like a discovery of 37,000 assesseees in British India; the suggestion was contained in the report of 1925-26, and here we have got a statement in which detailed figures of discoveries of new assesseees per province are given in paragraph 12 of the Central Board of Revenue Income-tax Act Report for 1926-27. In pursuance of instructions or in pursuance of these observations made in the report for 1925-26, we find the actual result of the year reflected in the figures given in paragraph 12. The total number of assesseees thus discovered or unearthed in the year was 35,873. So many new assesseees have been discovered. Now, Sir, this work of discovery of assesseees is something akin to the work which the Archæological Department is carrying out in the way of excavations. The income-tax officers have now two kinds of responsibility. They have first to conserve, that is, to see that the old assessee does not escape: that is conservation; and at the same time they have got to carry out the work of digging, to discover new assesseees; for the sake of this, the officer employs a band of diggers, men who dig and go with pick-axes in their hands into the bazaar to find out assesseees: that gang of workers is slowly gathering round the departments. The Central Board of Revenue mournfully complained in the report that they had not got men who could be paid for doing that sort of work, but I can assure them that without salary and without payment a certain class of persons have really gathered round the income-tax officers; and every year, after the financial year is over and the time for issuing notices to the assesseees arrives, the bungalow of the income-tax officer is surrounded by persons who themselves have no income to pay any taxes upon, but who are prepared to say that there are such and such persons who can be taxed. I do not want to name any men here or there, but I say this state of things is growing up in extent and volume, and in the interests of those who are taxed and who supply a large and considerable portion of the funds of the Government, it is necessary for the head of the department to find out how an evil of this kind which is growing up can be effectively checked. It has grown up in the city of Calcutta. There is a

[Mr. M. S. Aney.]

shrewd and unequivocal reference to it in the report here. It is said somewhere: "He succeeded in getting 3,000 more assesseees in that year". Sir, it has been stated here that the income-tax officers have already collected very valuable information regarding property, because it is property that is in their opinion generally under-taxed; their work was to find out the real nature of the property and its proper value for the purposes of assessment. Whence is this information collected? Either it is collected with the help of the revenue officers or with the help of these informers whom this department deplores it was not able to pay. It may be one of two things. As this is going on in an increasing scale it is necessary for the department to see that the assesseees are not made unnecessarily miserable on account of the wrong information supplied to the department by many of these persons whose business is only to inform and not to take on any liability for themselves. The department must try to remain aloof from the contaminating influence of these men and keep its administration pure and above suspicion, from this point of view.

Now, Sir, after that, if we come to another matter, we shall find that there is a good deal of trouble as regards the preparation of our returns themselves. It is very difficult for us to prepare the returns in the way in which the department expects us to prepare them. We do not, and in the very nature of things cannot, receive any help from the income-tax officer on that point. Our accounts are kept in a different manner; the returns require us to show certain figures on a different model. Many have found it impossible to comply with the requirements of the department and so they take the assistance of what are known as professional auditors. And even after their assistance has been taken, what surprises one is this: that even the returns prepared by these professional men, men who are qualified as auditors and whose authority as professional auditors is also accepted by the Government, are held to be untrustworthy. A remark is made in the report that the Income-tax Department regrets that it is unable to accept, in a considerable number of cases, the returns prepared by auditors also as true. Now, I want to know, what should these merchants and commercial men do? They themselves cannot prepare the returns in a way which would satisfy the income-tax officer; nor is the technical assistance they receive from qualified men deemed sufficient to satisfy the requirements of the department. The only thing then for them to do is to file some kind of account, take it back when rejected as incorrect and then ultimately run to the Assistant Commissioner or somebody for appeal; and in that way a good deal of time is wasted.

Mr. Deputy President: Order, order. The Honourable Member will now bring his remarks to a close.

Mr. M. S. Aney: I shall bring my remarks to a close, Sir. I have fortunately come to the stage of the appellate court whose finding, just like your word in this House, is final. I wish to speak a little upon it. The decisions of these appellate courts are generally final, unless there is a point of law. I am closing with the remarks that these appellate powers provided in the law are unsatisfactory. The time of these business men is thus wasted. There is a mention of this point in the Central Board of Revenue report itself. It is stated that much waste of time and energy can be spared if the assesseees know their responsibility. My suggestion is "Find out some way to make the assesseees understand what you want."

If you can make yourselves intelligible to the assesseees, there is sufficient honesty in the assessee to comply with your requirements. The difficulty is that you are speaking in a language which he does not understand; you are speaking in a formula which he cannot decipher and then you charge him with dishonesty. I want to extricate ourselves from this muddled position.

One point, Sir, in one sentence only and I have finished. A learned Judge was once asked, with reference to the income-tax law of England, as to what was the principle underlying it and he made a very significant observation which I wish to quote here, and I say with approbation that probably that observation holds good even of our income-tax law and our Income-tax Department. The name of that authority is Sir Josiah Stamp and he said once that "he sees in the law only one principle, *viz.*, that of the Donnybrook fair, *i.e.*, 'see a head, hit it'." So it is a looking out for heads with a view to hitting, is it not the principle underlying the income-tax law, and its administration in this country too?

Mr. Gaya Prasad Singh: Sir, I gave notice of a similar motion which stands lower down on the list; but I think it will be convenient for the House if I were permitted to speak on the present motion. The two previous speakers have already referred to the exorbitant assessments which take place in almost all the provinces; and if I remember aright, my Honourable friends, Sir Hari Singh Gour and Mr. Amar Nath Dutt also in their budget speeches last year, brought this point to the notice of the House. As representing my own province of Bihar and Orissa, I wish to associate myself with the remarks made by previous speakers by saying that the tendency generally among the income-tax officers is to unduly increase their assessments every year. There is a saying in the criminal courts about magistrates: No conviction, no promotion. The saying among the income-tax officers is: No increment in the income-tax, no promotion. Small traders and commercial people especially, such as the marwaris, etc., in small places, are specially aggrieved by these unfair assessments which are imposed upon them, and which are increased year by year. My Honourable friend Mr. Aney has quoted some figures to substantiate his statement. It is not necessary for me to give more figures in this connection. Account books of assesseees are sometimes disbelieved without any rhyme or reason. In cases where no account books are produced—as a matter of fact small traders and other people do not always keep account books,—they are pressed to produce account books. If the accounts are not forthcoming, their right to appeal is interfered with; and if their account books are produced, without any rhyme or reason they are often disbelieved. That is the grievance which is very largely felt among a large number of assesseees in almost all the provinces. In my own province, Sir, the Commissioner of Income-tax went to the length of issuing a circular which is tantamount to asking his subordinates to increase their assessments. I brought this matter up on the 24th August last, and I quoted a circular and asked my friend, the Honourable the Finance Member to explain what is meant by that? In course of that circular, which was issued by the Income-tax Commissioner, and addressed to the Income-tax officers, his subordinates, he said:

"You should take the view in any particular case which is favourable to the department, and leave the assessee to press for a decision on a reference to the High Court, if he is so advised."

[Mr. Gaya Prasad Singh.]

Now, Sir, if this is not a direct incitement to increase income-tax I do not know what it is. It is just as if a district magistrate were to issue a circular to the subordinate magistrates asking them to convict in all cases that come up before them, and leave those convicted to press their appeals in the higher courts, if they are so advised. My Honourable friend, Sir Basil Blackett, instead of meeting this point fairly and honestly, couched his answer in a rather bantering tone. He said it was a confidential circular, although in the course of his reply he said he was not aware of it. Now, in reference to that statement I want my Honourable friend to tell me in the first instance as to how he came to know that this was a confidential circular. My next point is, assuming that it was a confidential circular, I maintain that no officer of Government is entitled to issue a circular which is against the law or otherwise objectionable, whether in an open manner or in a surreptitious manner; and this circular especially contravenes the Income-tax Manual, in which it is said:

"It is desirable that, with due regard to the fiscal interests of Government, all Income-tax officials should administer the Act in a sympathetic spirit."

Now, this injunction is specifically laid down by law; but it has been trampled under foot, and a circular has been issued asking the income-tax officers to increase the assessments and leave the assesseees to their own fate

Mr. B. Das: What about the harassment of the Maharaja of Darbhanga?

Mr. Gaya Prasad Singh: There is a case pending—I do not know whether the case has been decided or not,—between the Maharaja of Darbhanga and the Income-tax Department, a case which he has brought against the Income-tax Department.

Mr. Deputy President: Nothing should be mentioned about it when the case is before the courts.

Mr. Gaya Prasad Singh: Therefore, Sir, I was not going to refer to that case at all. But so far as this circular is concerned, I want to know from my Honourable friend, the Finance Member, who is the head of this department, as to the circumstances under which this circular has come to be formulated, and whether it has been withdrawn or not? If it has not been withdrawn, on what principles of justice and equity and good conscience my friend is prepared to justify a circular like that, and whether it is not tantamount to giving a carte blanche to the income-tax officers to make exorbitant assessments of incomes?

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

The Honourable Sir Basil Blackett: Sir, considering that we are discussing the grievances of the assesseees, I think it is fortunate, considering their strength, we have had an attack the strength of which can

only be described as rather remarkably mild. My friend Mr. Aney quoted the figures of refunds, the effect of which was apparently in his opinion to show that it was the habit of the income-tax authorities to collect too much revenue and then be forced to repay it on appeal. I think he has misunderstood the full meaning of those figures in regard to refunds. They are set out on page 16 of the Return from which he quoted. I take the figures for 1926-27:

Refund of rebate of tax:

- (a) under section 48 Rs. 7,52,
- (b) on dividends of companies under section 48 Rs. 17,06.
- (c) to partners of firms under section 48 Rs. 4,53.
- (d) under section 49, Rs. 1,06 lakhs.
- (e) other refunds Rs. 32,45,000.

Now, it will be seen that the biggest refund is that under section 49 which is refund in respect of double income-tax. That has nothing whatever to do with over collection at any particular place or by any officer. Similarly, all the other refunds, except the last, are the natural result of our income-tax system. It is only the last figure of Rs. 32,45 which represents to any extent entirely refunds on appeal. I have got the actual figures of refunds on appeal, together with the number of appeals, for the year 1926-27.

Appeals disposed of (these are appeals heard by Assistant Commissioners from the Income-tax Officers).	18,585
Successful	8,537
Review petitions disposed of	2,434
Successful	855
References to High Courts	35
	Rs.
Refunds as a result of appeals.	30,94,000
Less for repaying enhancements	1,17,000
Net refunds	29,77,000

I think the Honourable Member must have been misled by the figures, and I would point out to him that his argument somewhat disposed of the argument of the previous speaker who said that the income-tax authority was a judge in its own case. Our experience with the Assistant Commissioners is, if anything, that they show a tendency to interfere with the income-tax officers on inadequate grounds and the statistics prove our impartiality, and that so far from an appeal to the Assistant Commissioner being a forlorn hope, it does result in quite a considerable proportion of cases in a reduction of the assessment made.

Among other grievances mentioned, I think the one to which most prominence was given was the question of the non-acceptance of accounts. The rejection of an account does not necessarily mean that the account is incorrect. All that it means is that it is not sufficiently full to satisfy the requirements of the income-tax authorities. There is no kind of suggestion that because an account is rejected for income-tax purposes it is therefore entirely false. I do not say that in some cases it is entirely

[Sir Basil Blackett.]

true. I have an interesting quotation from the Commissioner of Income-tax, Mr. Vachha, in Bombay which throws some light on the question.

"The weak income-tax staff employed in the past, especially before 1922, is chiefly responsible for this attitude of the tax-payers, most of whom can still recall their past experience as to how tax was avoided by adopting some such method. Time was when Bombay city had only one Examiner of Accounts as against 26 at present. Such an attempt to check the accounts of the businessmen of the whole of this big city kept the door of evasion so widely open that even saints were tempted to enter it. Even now the staff is not such as to ensure detection of each and every case of fraud . . . It will take years and years before the assesseees will unlearn what they have learnt in the past and forget their experience prior to 1922."

I am afraid it still remains true that the main explanation of the comparatively large proportion of cases in which full accounts are not supplied by the assesseees is that it is still their experience that on the whole they get off more lightly if they do not supply accounts. The position is improving in that respect. With reference to one of the remarks that was made, I should like to assure the House that income-tax officers are instructed to work with the assesseees and to help them to frame their accounts in the right form. There is, I think, increasing understanding that the income-tax officers are there to collect the amount due, and that if they are approached in the right spirit and if all the facts are laid before them, they have no desire whatever to collect on any basis other than that of facts.

Another question that was raised by Mr. Gaya Prasad Singh, I think, was about the circular issued by the Income-tax Commissioner in Bihar. My protest at the time when Mr. Gaya Prasad Singh asked a question last Session on that subject was that that circular was an entirely confidential departmental document, and I would put it to Honourable Members of this House that if a departmental document that is not for publication comes into their hands they should not mention it on the floor of this House, at any rate, without giving an opportunity, first of all, to the department concerned to deal with any question that it raises and dispose of it privately. After all, a document of this sort can only come into the hands of Mr. Gaya Prasad Singh through somebody's failure to observe proper discipline, and Honourable Members of this House should not encourage officers of the Government not to observe proper discipline . . .

Mr. Gaya Prasad Singh: How can anybody know that it is of a confidential nature or that it is a confidential document? Is there anything on the face of the document to show that it is of that nature?

The Honourable Sir Basil Blackett: All circulars by Income-tax Commissioners addressed to their officers are confidential. I would only ask the House to help the Department and help themselves by not springing on the House a document that is departmental. It is very bad for discipline that there should be a market for documents which are not public property . . .

Maulvi Muhammad Yakub: Is it really fair that such pernicious confidential orders should be issued?

Mr. Gaya Prasad Singh: That is the point.

The Honourable Sir Basil Blackett: I have dealt so far only with the question of the confidential character of that document . . .

Mr. Gaya Prasad Singh: It was not confidential I maintain.

The Honourable Sir Basil Blackett: I have dealt only so far with the confidential character of the document. I am free to admit that it is worded in some parts of it in a manner that did not entirely meet with the approval of the Central Board of Revenue. When their attention was drawn to it, they took the necessary steps, and if the Honourable Mr. Gaya Prasad Singh or any other Honourable Member, again, on any other occasion, has any feeling that in a document of that sort there is some question as to the propriety of the language used, I do beg of him just to bring it straight to me or my successor or to the Central Board of Revenue, and I assure him that we shall only be too anxious to remedy any mistake that has been made. In so far as a mistake was made it was merely a question of the wording . . .

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadian Rural): Mistake or intentional?

Mr. Gaya Prasad Singh: Has the circular been withdrawn?

The Honourable Sir Basil Blackett: I am not quite sure exactly what steps have been taken because the matter was only raised again to-day. Undoubtedly we did immediately call the attention of the Commissioner to the matter, and that is, I submit, the way that the thing should happen and not that a confidential document should be produced on the floor of this House. If any Honourable Members have any doubt as to the confidential character of a document let them only ask the Member in charge before they produce it in the House if they are not sure whether it is confidential or not.

(At this stage two or three Honourable Members said something in a low voice.)

I cannot hear a word that the Honourable Members are murmuring. I have dealt with the case. The general position is really quite simple. Undoubtedly it is true that an undue proportion of assessments is still made without full accounts being rendered, and my complaint against income-tax officers, in so far as I have one, is that they are still apt to be too lenient, and that was the meaning of that circular. The fact that they are still apt to be lenient is fairly well proved by the fact that people still prefer not to submit accounts, because they have only to submit accounts properly, and if they are really being overcharged that is immediately proved. But in spite of the fact that their accounts have not been submitted, they are still paying a less sum than they would pay if they submitted accounts, and their failure to submit accounts is at least intelligible. I do not remember any other points that were raised, but I do submit that it is in the interests of this House that it should secure that income-tax is properly collected. In the interests of all the assesseees it is not desirable that some of them should get off too lightly; equally it is most important that assessment should be just and that no individual should be paying more income-tax than he ought to pay, and if he will take to submitting accounts and if he will treat the income-tax officer as his friend rather than as his enemy, I think that will be secured.

Mr. Ram Narayan Singh (Chota Nagpur Division: Non-Muhammadian): Sir, I support the cut moved by my Honourable friend. Pandit Thakurdas Bhargava. Sir, I do not want to repeat what my friends have said on behalf of this cut. I only endorse every word of it. It is the experience of my constituency that this department is being used as

[Mr. Ram Narayan Singh.]

an engine of oppression. Income-tax officers are dealing with the assesseees there in a most careless, cruel and high-handed way. They do not pay proper attention to the accounts submitted to them. Besides, the questions of appeal and bringing matters to the notice of higher authorities, have proved to be too costly as well as too difficult an affair to be resorted to. Sir, I bring it to the notice of the Central Government that this is a department which most urgently requires purification as well as improvement in every way. With these words, Sir, I support the cut moved.

Mr. President: The question is:

“That the Demand under the head ‘Taxes on Income’ be reduced by Rs. 10,000.”

The Assembly divided:

AYES—35.

Aney, Mr. M. S.
Badi-uz-Zaman, Maulvi.
Belvi, Mr. D. V.
Bhargava, Pandit Thakur Das.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Jayakar, Mr. M. R.
Kelkar, Mr. N. C.
Kunzru, Pandit Hirday Nath.
Lajpat Rai, Lala.
Mitra, Mr. Satyendra Chandra.
Moonje, Dr. B. S.

Murtuza Saheb Bahadur, Maulvi
Sayyid.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Sarda, Rai Sahib Harbilas.
Sarfaraz Hussain Khan, Khan
Bahadur.
Shafee, Maulvi Mohammad.
Shervani, Mr. T. A. K.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Singh, Mr. Ram Narayan.
Singh, Raja Raghunandan Prasad.
Sinha, Kumar Gangnanand.
Sinha, Mr. Sidheswar.
Tok Kyi, U.
Yakub, Maulvi Muhammad.

NOES—44.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Ahmad, Khan Bahadur Nasir-ud-din.
Alexander, Mr. William.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Sayid.
Ayangar, Mr. V. K. Aravamudha
Bajpai, Mr. G. S.
Blackett, The Honourable Sir Basil.
Bray, Sir Denys.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Cocke, Mr. H. G.
Cosgrave, Mr. W. A.
Couper, Mr. T.
Courtenay, Mr. R. H.
Crawford, Colonel J. D.
Crerar, The Honourable Mr. J.
Dalal, Sardar Sir Romanji.
Graham, Mr. L.
Irwin, Mr. C. J.
Joshi, Mr. N. M.

Jowahir Singh, Sardar Bahadur
Sardar.
Kabul Singh Bahadur, Captain.
Keane, Mr. M.
Kikabhai Premchand, Mr.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Roy, Mr. K. C.
Sams, Mr. H. A.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Sykes, Mr. E. F.
Taylor, Mr. E. Gawan.
Willson, Sir Walter.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Defective Working of Devolution Rule No. 15.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): I beg to move:

“That the Demand under the read ‘Taxes on Income’ be reduced by Rs. 1,000.”

My intention is to refer to the defective working of Devolution Rule No. 15, to which I drew the attention of the Honourable Member for the first time in 1925. It is not necessary for me on the present occasion to go into all the details of the history of this rule. I will content myself with observing that this rule was designed by the Joint Parliamentary Committee for the purpose of giving the provinces a share in the income from income-tax in each province. Although the rule was made generally applicable to all the provinces, the main intention was to benefit the industrial provinces of Bengal and Bombay which had asked for a share of the income-tax revenue and had been turned down by the Meston Committee. When I drew the attention of the Honourable the Finance Member to this question in the winter of 1925, he was frank enough to admit that the rule had broken down in practical working. He assured the House further that he would have the matter investigated and would see whether it could be put right. Next year, I drew his attention once again to this matter, particularly in connection with certain recommendations of the Taxation Inquiry Committee, for this was one of the questions that had been referred to that body for their opinion. And the Honourable Member on that occasion assured the House that the entire question of assigning a share of the income-tax revenue to the provinces was engaging his attention. Later on, he observed, only the other day, that at a recent conference of the Finance Members of the different provinces, the question was raised; and that as the Government of India were in a position to offer only a very small amount for distribution, certain provinces, I believe the provinces of Bombay and Bengal, were rather reluctant to have any relief of that kind. I do not know what the present intention of my Honourable friend is in this matter. Here is an admitted grievance of two industrial provinces, who are not benefiting under the special device intended to benefit these two provinces. I would for a moment draw the attention of the House to the figures as they appear in the Explanatory Memorandum on the present Budget. The figures first of all show the amount of revenue that is expected to be collected in each province, and the share of the income-tax revenue that falls to the lot of each province under Devolution Rule 15. Honourable Members will see that, although Bengal is expected to contribute 6 crores 19 lakhs in the shape of income-tax revenue out of a total of 17 crores of income-tax revenue, which the Government expect for the whole of India. Bengal does not find a place in the list of the provinces which are benefited by the Devolution Rule at all. So also is the case of Bombay. Bombay is expected to contribute 3 crores and 45 lakhs, in the shape of income-tax in the budget year and Bombay also does not find a place in the list of provinces to which a share of the income-tax revenue goes under Devolution Rule 15. Now let us turn to Madras. Madras is expected to yield a revenue of 1.47 crores in income-tax in the budget year, and Madras is allotted 6.50 lakhs out of that. Then take the case of the Punjab. The Punjab is expected to raise 70 lakhs in the shape of income-tax revenue during the budget year, and she will get 4 lakhs out of it under the Devolution Rule. Burma is expected to find 2.06

[Mr. K. C. Neogy.]

crores of income-tax revenue and will get 14 lakhs under the Devolution Rule. I will leave the other provinces alone. My grievance is that the two provinces for whose benefit this rule was mainly intended do not come in for a share of income-tax revenue at all. I know that under the terms of the Devolution Rule itself, it is not possible to give any special relief to those two provinces in this matter; but, Sir, I do hope that it will not be beyond the ingenuity of the Honourable the Finance Member to find some means of remedying this very legitimate grievance of the two great industrial provinces.

Mr. Arthur Moore (Bengal: European): Sir, I should like very briefly to support my friend Mr. Neogy's point. Our grievance is so glaring and has been so repeatedly put to this House year after year by Mr. Neogy himself that I do not propose to go over that ground and expose the grievance once again. But I should like very seriously to ask the Honourable the Finance Member what he is going to do about it? Year after year this question has come up. I remember that when this difficulty was considered by the Joint Committee—the Joint Committee of the Parliament of Westminster—at the time of the inauguration of the Montagu-Chelmsford Reforms, they attached immense importance to the view of the Secretary of State's Council. Well, I should like to point out to the Honourable Member that three years ago in this House a Resolution similar to this was carried by an overwhelming majority. I think the figures of those who voted against the Government on that occasion were something over 70, and they included one who is now a distinguished member of the Secretary of State's Council, Sir Campbell Rhodes. What the Honourable Member then told us was that in about two years Bengal and Bombay might hope to be getting something. That was three years ago. But neither Bengal nor Bombay have ever had a pie since. They do not even appear in the list, and there is absolutely no immediate prospect—in spite of all the stout efforts of the Finance Member to tighten up income-tax—apparently no prospect whatever, in any future we can see, of either Bombay or Bengal touching the figures for income-tax of the datum year 1920-21. The Honourable Member told us that he was prepared to discuss it with Provincial Finance Members at the annual conference. There must have been three annual conferences since then, and I have no doubt it has been discussed. But so far nothing has been done at all to do away with this admitted grievance. Nothing has been done to meet the representations of this Assembly. Sir, we here join with the Honourable Member in his desire to take this House seriously. We also wish to take ourselves seriously. We come here and year after year bring up this matter, and we say that by ignoring it you are hampering the progress of this country. We do expect some notice to be taken of this. I should explain that we have no desire at all to take anything away from the other provinces. We are extremely glad that they have had their windfall. But we all know that the working of this Devolution Rule No. 15 is an absolute travesty of the original intention of the framers of that rule. It was definitely framed to produce something for those two great industrial provinces, Bombay and Bengal, and they are the two provinces who have never had anything, unless perhaps a little at the beginning, when the boom was still on, in 1920-21. They have certainly had nothing since,

and there is no immediate prospect of their having any. Well, Sir, one answer which will definitely not satisfy us is that this is all part of the Meston Settlement, and must wait to be considered by the Simon Commission. We do not accept that answer at all. This thing could be changed to-morrow. Devolution Rule 15 has nothing whatever to do with the ultimate consideration of the Meston Settlement. The suggestion of the Taxation Inquiry Committee is no doubt an ideal one. They want the consideration of Devolution Rule 15 to be taken up with the whole question of federal taxation and the question whether income-tax should be central or provincial. We know already that that question is decided against the provinces. That may be right. We are not complaining of that. The Finance Member told us the other day that he definitely regarded income-tax as a subject which should be central. Very well; let it continue to be central. But, as, I think, the Meston Committee pointed out, you cannot permanently expect these great industrial provinces to be deprived of all share in their own expanding industries. Therefore, when a special provision was made for them under this rule, we did expect that the rule would be made to work according to the intentions of the original framers of that rule. The only question which here concerns the Simon Commission—and it is a very pertinent question for that Commission to consider—is the relation between the Central Government and this House,—as to why year after year on a subject like this, upon which there is complete agreement and where everybody knows that an injustice has been done, no notice whatsoever is taken of the strong representation of this Assembly.

Mr. H. G. Cocke (Bombay: European): Sir, I have spoken on this question several times in this House and I am not really anxious to do so again. But coming from a province different to that of my two Honourable friends who have just spoken, I think perhaps I ought to say one word on behalf of Bombay. So far as that province is concerned, we are just as anxious and just as keen to-day on getting the Meston Settlement altered as we have ever been. The Finance Member is about to leave for climes where Meston Settlements are unheard of, and he will be bothered very little longer with this question. But, Sir, we wish to know the policy of the Government of India on this question. We know, as has been said, that it has been discussed several times at conferences of the Finance Members, and we wish to know what the policy is with reference to this matter. It is very unsatisfactory going on year after year without any real policy being announced. We know of course that the Finance Member has been concentrating for all he is worth on the reduction or elimination of provincial contributions. But that is only in a way half the tale. It does help but it does not help sufficiently the two industrial provinces of this country, and we are very anxious that some rectification of this act of injustice should be made as early as possible.

Equitable Share to Provinces.

Mr. B. Das: I have a motion similar to this and I would like to speak

Mr. President: Which is that motion?

Mr. B. Das: *Motion No. 18. Sir, I rise on behalf of my province, Bihar and Orissa, to join my voice in this matter. I claim equitable

* "That the Demand under the head 'Taxes on Income' be reduced by Rs. 100 "

[Mr. B. Das.]

adjustment of the revenues of the Central Government and the Provincial Governments. Sir, I will not speak of the effects of the Meston Award on my province, but I will just draw the attention of the House to one passage in the Meston Report where it says:

"In Bihar and Orissa the local government is quite the poorest in India, and very special skill will be required in developing its resources. Heavy initial expenditure lies in front of what is still a new province; and *there is a wholly abnormal want of elasticity about its revenues.*"

Sir, a year or two ago, I quoted from the letter of the Government of Bihar and Orissa to the Meston Committee in the matter of equitable adjustment of the finances between the Bihar Government and the Government of India. Sir, in the year 1912 Bihar and Orissa was separated from Bengal, but the financial resources were not properly adjusted; while Bengal got Rs. 13 lakhs for a million of people, Bihar and Orissa got Rs. 8 lakhs for a million of people, and that left my province in a very bad condition. (*An Honourable Member from Bengal*: "Come back to us.") All right, if you will give us more money, we will come back. I quoted then a passage and I take the liberty of quoting it again:

"Bihar and Orissa stands upon a different footing from the other provinces in that it has never received a *quasi*-permanent financial settlement and has not yet been fully equipped with the adjuncts of a self-contained province. When the province was constituted in 1912, it was recognised that as soon as the administration was in full working order, the revenues assigned would be insufficient and it was intended, if the war had not supervened, to revise the financial settlement after five years and provide resources adequate for its maintenance and development."

I claim that adequate resources and elasticity of revenue have not been provided for the proper development of my province. The Taxation Enquiry Committee, to which reference was made by my friend Mr. Neogy, mentioned that a certain portion of the income-tax ought to go to provinces. Unfortunately though my province is an industrial province, most of the companies that manage those industrial concerns are situated in Bombay or Calcutta. Although my province contributes a good deal of income-tax revenue, we do not get any share from the income-tax paid by those companies situated in Calcutta and Bombay. I claim that Rs. 46 lakhs that comes from income-tax from the province of Bihar and Orissa should go to the Provincial Government and whatever super-tax the Government might collect should go to the Central revenues. When my province was separated it had a revenue only of Rs. 4½ crores; now it has expanded, but at what cost? The revenue from excise was Rs. 1.24 lakhs at the time of separation; to-day it stands at 2 crores. The Government of Bihar and Orissa have no flexibility in their income and so they have to raise their revenue from excise, and that is not a good revenue. We cannot go on drinking just to educate our boys and children. Sir, that is my argument, and I hope that before the Honourable the Finance Member leaves this country he will either give us a bigger share of the revenues of the Central Government or he will institute a policy whereby my ill-financed province will get sufficient income, at least to the extent we used to get when we were with Bengal before 1912, so that we can be a prosperous province.

The Honourable Sir Basil Blackett: Sir, Mr. Moore asks what the Government are going to do about it. My answer is that at the special request of the Government of Bengal we are leaving it to the Statutory

Commission. A proposal, a carefully worked out proposal, was put before the last meeting of the Provincial Finance Members, and a proposal which involved in the first year a sacrifice of about Rs. 65 lakhs of revenue to the Central Government was put before the last meeting of the Provincial Finance Members. Three provinces, of which that represented by my friend Mr. B. Das was one, accepted the scheme and were anxious that we should go ahead with it. Some of the others were neutral, but the opposition came fairly strongly from one or two, particularly from Bengal, who said that they would rather have the matter referred to the Statutory Commission to be settled by them than accept the proposal as put forward by the Central Government at that stage. Not that the acceptance of the Central Government's proposal would have prevented them from going before the Statutory Commission, but they seemed to think that it would prejudice their case if they were to accept such a settlement. If Mr. Moore has a complaint against anybody for nothing being done at the moment, it is in particular against the Government of the province for whom he is speaking. There is a real difficulty about this. I found Devolution Rule 15 in existence. I have never defended it; I have tried to change it, but it is going to remain unchanged after I have left, until the Statutory Commission has reported. The reason is a fairly simple one. Except when you have a Committee like the Meston Committee or a Commission like the Statutory Commission sitting you cannot go into a question of this sort because you cannot make a change in the Devolution Rule in favour of one province at the expense of another province; you can only make a change at the expense of the Central Government. You can also only possibly make a change if it is agreed to by all the provinces concerned, or reasonably agreed, unless it is a comparatively small change. Neither of those necessary conditions has been fulfilled. Further, we have had up till this year provincial contributions and it was obvious that for good or for ill the Central Government had undertaken an obligation to get rid of those provincial contributions with priority over any other scheme that individual provinces might have in the matter of change in the Meston Settlement. The Government of India, therefore, I think, have nothing to apologise for in what has happened in this matter. They have been unable to secure sufficient unanimity among the provinces to make a change and they obviously could not of their own fiat take money away from Madras and the Punjab to give it to Bombay and Bengal, even if—which of course I do not admit, I do not argue the question—even if there was a good case for an equitable scheme on behalf of those provinces for extra funds. That has been the simple position and I think that there is everything to be said now for leaving it until the Statutory Commission can deal with it. Another difficulty of course in the current year was that, even if we had come to an agreement with the provinces, it involved Rs. 65 lakhs extra. I was not sorry, therefore, when I came back from England to find that the problem of finding out the extra Rs. 65 lakhs had been solved for me. But of course it was made clear that any proposal for a change must be dependent on general agreement by the provinces and it could only come into effect as from such date as there was a sufficient surplus in the Central Government to meet it. But I do not think it would have been the wish of this House that we should impose additional taxation to the extent of Rs. 65 lakhs or so with a view to remedying the grievances in the matter of Devolution Rule 15. I am sure the House will recognise that the Government

[Sir Basil Blackett.]

of India have every sympathy with the necessity for finding a solution for this matter. And, when the matter is put before the Statutory Commission—I do not think I can speak for the Government of India in this matter—I do not think that there will be any disposition on the part of the Government of India to deny that Rule 15 has not worked well and that it is desirable that some additional share in the income-tax should be placed at the disposal of the provinces in the future settlement. I do hope, however, that the Provincial Governments will, now that they have got rid of the bogey of the provincial contributions, realise that they cannot continually look to raiding the Central Government's taxes for the purpose of finding the additional funds that they require for their local needs. To some extent, I am afraid, the provincial contributions have been a whipping boy. The problem however must remain that if you want to go in for additional and expensive nation-building expenditures—I am, of course, all in favour of that being done,—you must somehow or other find additional means of taxation for the purpose of paying for them. And as that to a very large extent is a service that will be undertaken locally and beneficially, the right place to look for the additional taxation will be within the localities and within the provinces within which the extra expenditure is to be incurred.

Mr. President: The question is—

“That the Demand under the head ‘Taxes on Income’ be reduced by Rs. 1,000.”

The motion was negatived

Incomes of Shipping, Insurance and Banking Concerns.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhamadan Rural): Sir, I beg to move:

“That the Demand under the head ‘Taxes on income’ be reduced by Rs. 1,000.”

In making this motion I have to draw the attention of the House to the unsatisfactory nature of the attitude taken up by the Government of India in connection with questions relating to the profits made in this country and the income-tax paid thereon by the foreign shipping, insurance and banking concerns. Sir, when on the 2nd of September, 1927, in Simla I asked a question with regard to the amount of income-tax and super-tax paid by British companies and by other non-Indian companies carrying on business in India in banking, shipping and insurance, I was told that statistics distinguishing between these three items were not maintained by the Government. At a later stage, in course of the supplementary questions, some information was given to my friend Mr. Kabeer-ud-din Ahmed to whom I should in this connection like to express my sense of gratitude for the fact that it was he who soon after the introduction of the Reforms and the reformed Legislatures drew the attention of the Government of India to that utter indifference to the Indian financial side in so far as they did not assess British shipping companies and foreign shipping companies for the purposes of income-tax. Now, my friend Mr. Kabeer-ud-din Ahmed, who has been taking interest in the subject from

the beginning of the Reforms, namely, 1921, asked a supplementary question to the effect:

“What is the amount that the Indian Exchequer has suffered owing to the negligence of the Government of India in exempting the British shipping companies from payment of income-tax prior to 1922?”

And the Honourable Sir Basil Blackett replied:

“I hope the Indian Exchequer never has suffered in that way.”

That answer conclusively shows that at the moment of making that reply Sir Basil was not aware of the immense inroads that must have been made for years together upon the Treasury of the Government of India in so far as the British and foreign shipping concerns remained unassessed for the purposes of our Indian income-tax. But under the impression that possibly everything was all right in the Department of which he was the head, even when I asked whether in view of the seriousness of the question he would make arrangements to get the details, he said that the answer was in the negative. I was rather surprised that he should have said so because immediately before he had stated that he did not know whether it was a fact or not that income-tax was levied on the British shipping companies operating in this country after the attention of the Government was drawn to their not paying income-tax by an Honourable Member in this House in 1922. So, here you have a clear case where the Government of India have been indirectly for a series of years exempting the non-Indian shipping concerns from paying an Indian income-tax. When further information is desired on the subject, the representative of the Government of India in this House and in the Finance Department gets up and says that he does not know these things; he does not care to know them; and he will not ask for further information. I am sure that when I draw his attention, as I propose to do, in a little fuller detail to the history of this problem, he will realise that as an expert and hard worker that he is, he will come to know that in his department, so far as the assessment of foreign shipping companies was concerned, full and proper attention was not paid to the requirements of the Indian Exchequer.

Coming to the history of the problem, we find that it was in 1886 that under the stress of the Burmese War and the falling exchanges, the Government of India had to introduce a general system of income-tax to take the place of the previously prevailing licensed tax which was operating in the country. Under this general income-tax of 1886 the following items were made assessable, namely, (1) salaries, (2) profits of companies, (3) interest on securities, and (4) other sources of non-agricultural income. In the original amending Bill it was laid down that all companies making profits in this country were to pay the income-tax, but the Member who represented the interests of the European commercial community in this country in the old Imperial Legislative Council objected to the shipping companies having to pay this income-tax, and the Government of India, and the Finance Member of those days yielded on that point. The ground on which he yielded is rather interesting as it shows to us the mysterious connection that has always been maintained between European commerce

[Mr. Sarabhai Nemchand Haji.]

and the British Government in this country. In accepting the suggestion of the Honourable Member who was representing European interests, the Government Member said:

"We felt ourselves the more bound to give our respectful attention to the objections and remonstrances urged on us in this respect inasmuch as they came from a quarter whence great support and assistance has been afforded us, so that we could rest fully assured that the criticism was made in no captious or idle spirit."

Because the suggestions came from a quarter that had been giving consistent support and assistance to the Government of India in their management of the old Council, I suppose the interests of the Indian Treasury were sacrificed and large sums of money which were every year carried out of this country remained unassessed from 1886 right down to 1916. And even in 1916, Sir, when one of the non-official Members of the then Council drew the attention of the Government to this matter, he was told that "the Government will consider the question and amend the Act accordingly". The point I want to lay stress on in this connection, Sir, is that, though the facts were known to the Government, though it was clear to everyone in the know that the non-Indian shipping companies did not pay any income-tax to the Government of India, the Government on their own initiative ever since 1886 have not done anything to remedy the evil until their attention was pointedly drawn to the subject by non-official Members of the Council or the Assembly, as the case may be. In 1916, as I said before, when after 30 years of continuous neglect of Indian Treasury interests resulting from the mysterious relations between British commerce and the British Government of this country, attention was drawn to this question the Government said in reply. Sir William Meyer speaking, that:

"In the meantime we have omitted from the Bill the existing exemption so that when the time comes we may have a free hand to deal with the matter. So long as war conditions continue we do not however propose to take any active steps to tax these companies and the existing exemptions will be maintained by a notification in clause 44 of the Bill."

Sir, during war time, when money was badly needed by the Government of India, as by all other Governments, the Government of this country in the interests of non-Indian concerns definitely refused to take any steps even though their attention was pointedly drawn to the losses incurred by the Indian Treasury in this connection. But when their hands were forced in 1916, as I have stated, they once again deferred the matter and said that nothing could be done so long as the war was on. And, Sir, even when the war ended, what did they do? They withdrew the exemption from foreign shipping concerns, but the privilege of paying no taxes to the Indian Treasury was still allowed to the British shipping companies that made annually huge profits in India. This brings me, Sir, to that important question put by my friend, Mr. Kabeer-ud-Din Ahmed, on the 13th September, 1921, when he asked:

"If the Government will be pleased to state whether any notifications were issued under section 44 of the Indian Income-tax (Amendment) Act, 1916, exempting British shipping companies from paying income-tax and state the reasons for such exemptions."

And the Honourable Mr. W. M. Hailey, in reply, stated:

"In accordance with the statement"

—which was made by Sir William Meyer in the old Imperial Council—

"a notification was issued on the 28th March, 1918, exempting from the tax all non-resident shipping companies. When rules for assessing such companies were framed,

the exemption was withdrawn with effect from the 1st April, 1919, except as regards shipping companies incorporated or registered in the United Kingdom or in any of His Majesty's dominions."

And for these British companies running steamers along the Indian coasts and in Indian trade, this privilege was extended up to the 22nd April, 1921, because it is stated here by the Government Member that "the exemption in favour of the latter companies was also withdrawn on the 22nd April, 1921, and all shipping companies are now liable to the tax." So far so good, Sir. But, as I have shown, the earlier history of this shipping income-tax is so shady that there is no reason why we should not insist upon knowing the exact figures regarding it and also knowing the exact figures of the amount which goes out of this country annually in the way of profits to British shipping concerns and non-British shipping concerns which exploit the trade of India; and particularly when we realise the very large annual drain which the country suffers owing to the practical monopoly of foreign concerns in shipping, banking and insurance, I feel we are justified in demanding from the Government of India that it should provide us with a proper statement, under the heads suggested in my question, of the income-tax that was obtained from these concerns by the Government of India in different years in order that we might assess the more fully the drain that keeps on eating into the economic vitals of this country.

The Honourable Sir Basil Blackett: Sir, beyond the statement that something is eating into the economic vitals of this country, the Honourable Member who has made this last speech has produced absolutely no kind of evidence that everything is not all for the best. His grievance has something to do with the assessment of income-tax upon shipping, insurance and banking. He dealt chiefly with shipping. The law on the subject is quite clear, as he himself said, since under section 44 of the Indian Income-tax Act, 1922, an income accruing or arising or received in British India or deemed to have accrued or arisen or received in British India is liable to income-tax. As the Honourable Member is perhaps aware, we made an effort to improve the section of the Act, section 42 which deals with incomes deemed to have accrued or arisen, but we were unsuccessful in improving it. I am rather inclined to think that he or at any rate his friends are supporting a proposal which would increase instead of reduce our difficulties in collecting so far as we are. But I have no reason to suppose that we are not collecting in full any income-tax liability to which is incurred in this connection. The question exactly what profits are earned exactly where by a steamship company trading all over the world is, as the Honourable Member knows, though he did not inform the House, an extremely difficult one. Exactly where do the profits arise?

Mr. Sarabhai Nemchand Haji: What about the profits in the coastal trade, Sir? -

The Honourable Sir Basil Blackett: I am dealing with the general question. I have no reason to suppose that profits in the coastal trade are not being duly assessed to income-tax. The Honourable Member has produced no evidence whatever to the contrary and I believe that it is entirely untrue to say that they are not being properly assessed. There is a certain difficulty always, as I say, in assessing profits of this sort and in getting at non-residents. But he had no evidence to suggest that we are not successfully doing so and there is no kind of justification for the

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suggestion that the profits of shipping, insurance and banking earned by non-residents in India are not being fully taxed in exactly the same way as other non-residential profits in India. I have nothing to add.

Mr. Sarabhai Nemchand Haji: On a point of personal explanation, Sir. I was not speaking with regard to the assessment. What I was concerned with was why the Finance Department refuse to give us the figures under the separate heads as demanded. That was the point. If they have got the figures, let us have them.

The Honourable Sir Basil Blackett: As the Honourable Member is aware, we do not keep separate statistics showing the extraordinary detail that he suggests and I do not see any reason why we should. The Honourable Member has made a series of charges which he has entirely failed to substantiate.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I should not have got up to speak on this subject at all, but I feel that the Finance Member's reply to my Honourable friend Mr. Sarabhai Nemchand Haji is vague and, if I may say so, extremely unsatisfactory.

Mr. Gaya Prasad Singh: As usual.

Sir Purshotamdas Thakurdas: My Honourable friend Mr. Haji never complained about the amount collected for income-tax from shipping companies. How could he? He has not the material. He does not know what Government are collecting from any or all shipping companies, whether they recover too little or too much. All that he wants is that the figures should be made available to us, and, in view of the solicitude of the Government of India in the past for foreign shipping, I think it is only right that this Assembly should insist that we should know how much the Government of India recover from the shipping interests which make their living out of, or make their profits by working and touching at the Indian ports. Nobody wishes to minimise the difficulty of assessing accurately what profits a shipping company makes when it touches various ports from, shall we say, Japan right up to America. But, Sir, Mr. Haji is quite right when he says that the ships which ply on the coast of India present a much less difficult problem. I wish that the Finance Member could have given a more direct reply than he chose to give and I think that the question that has been brought up by Mr. Haji is a genuine one and is conceived in the best interest of the Indian Treasury, an interest in favour of which I should have thought the Finance Member himself would have welcomed Mr. Haji's speech.

Sir Walter Willson: Sir, I would like to make a few remarks at this stage. It is, as the Finance Member pointed out, a most extraordinarily difficult and often impossible thing to say whether, when and how either a shipping company or a ship makes its profits. Very often it does not make profits, and if you take shipping as an investment over a long period of years, I, who have spent all my life in shipping, have always recommended every one of my relatives never to invest a shilling in it, and they have no shares whatever. The average return is very unsatisfactory. But Sir Purshotamdas Thakurdas said that it should be easy, if I understood him correctly, ...

Sir Purshotamdas Thakurdas: Comparatively easy.

Sir Walter Willson: comparatively easy to say what are the profits made in the coasting trade of India.

Sir Purshotamdas Thakurdas: That is it.

Sir Walter Willson: It is just as difficult as anything else. Ships round the coast of India take up their cargo there and take it to Japan, Dunkirk, America, ...

Sir Purshotamdas Thakurdas: May I make myself clear, Sir? Are there not shipping companies which are restricted to the coastal ports of India alone? Why does my Honourable friend Sir Walter Willson want to make the question look more difficult than the facts justify?

Sir Walter Willson: I am sure the Honourable Member is entirely wrong in thinking that there are shipping companies whose trade is "restricted" to the coastal ports of India. There may be an odd shipping company here or there, but he appears at the moment to be displaying an amount of ignorance which I should hardly have thought he possessed.

Mr. Sarabhai Nemchand Haji: Is it not true, Sir, that certain ships only regularly trade on the Indian coast?

Mr. President: Order, order. Sir Walter Willson.

Sir Walter Willson: The coastal trade of India is a very valuable trade for this country.

Mr. Sarabhai Nemchand Haji: For the British company.

Sir Walter Willson: Imports are received at every port between Karachi and Singapore and I have been to every one of these ports myself. Exports are similarly sent away. The trade is an enormously valuable one and everybody through whose hands that trade passes makes, I hope, trust and believe, his share of profit. But because of that, to say that you can tell what profit belongs to the portion which a ship takes up at the French port of Pondicherry and discharges in Colombo, under the Ceylon Government, is quite impossible. The position is full of difficulties. My experience of shipping goes a great deal beyond the restricted shores of India. Various Governments the world over have taken every possible opportunity to tax all ships trading to and from their ports, and during the War many Acts impossible of carrying out were enacted in various countries. I have myself had to wrestle with some of them. I was asked, in connection with a company that I was connected with, to give the profits arising out of our trade with a certain foreign country. I found in the end that the only way in which we could come to any settlement with that Government was to work out the proportion that the outward freight we took out of their country bore to our total earnings and the relation between that and the dividend paid. Well, Sir, it was so unsatisfactory that in course of time it was all dropped. I speak subject to correction on this point because all this happened some years ago. My impression is that those inter-colonial taxes are not now imposed.

Mr. Haji went on to deal with insurance companies. Now, it surely must be equally difficult to say how much profit is definitely made, let us say, by a foreign company out of a risk underwritten in this country. Supposing an insurance company here writes a large line of say 10 lakhs on a certain building. It is not the practice for the foreign company to carry the whole of that risk. It reinsures portions of the risk and of business which is obtained here it gives a portion to some company, say in New York, in exchange for a portion of the business done by that other

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company in New York. How, therefore, is it possible to know exactly what profit has been made out of the risk underwritten here by any particular company? It seems to me that it is an extraordinarily difficult question. There is, I think, a very considerable degree of misunderstanding as to the profits that shipping companies make out of even the freight that they collect in any particular country. My memory is not a very good one, but I was sufficiently curious some years ago to look into the accounts of one or two ships that came to India, I saw what freight they earned definitely in this country, and I can assure you that there were many cases in which they spent more in the country than they took out. It seems extraordinary—and I do not suggest to you that they were doing it for the purpose of losing money for the benefit of this country or any other country—but it happens that the percentage of their earnings spent in this country is simply enormous. Unless you have been connected with a shipping company, the ratio of expenses to income, I think, beats one's imagination, in order to earn a small dividend of 5 or 6 per cent. After all, take some of your biggest British companies, the Cunard Line. What do they do? Except in the war time I doubt if they have paid more than 6 per cent. average for some years, and I very well remember a time when they could only pay 2 per cent., when they had to go to the British Government and get a guaranteed loan of several millions sterling in order to carry on their business.

Mr. Sarabhai Nemchand Haji: What does the British India Company pay?

Sir Walter Willson: What does the British India Company pay? Would I be wrong in saying 8 per cent.?

Mr. Sarabhai Nemchand Haji: 12 per cent.

Sir Walter Willson: Well, I think that is a very good figure. But has my Honourable friend forgotten where it comes from? Does he suggest that that comes entirely and solely from their trade in India? Does he not know that it is a world-wide company, that its capital bears a very scanty relation to the value of its fleet, and that the 12 per cent., although it may be the dividend declared on its ordinary capital, is certainly not anything in the nature of a good dividend on the value of its fleet? The Honourable Sir Basil Blackett has assured the House that all the income-tax which may be traced to shipping companies trading here is collected and I think that that is an assurance which the House should certainly accept. For my part I have never found Sir Basil Blackett so pleased about his collections and my difficulty with him has always been that he is out to find new avenues upon which he could put on the screw. So, if he is satisfied in this particular case I have no doubt that the House also may be.

Mr. President: The question is:

"That the Demand under the head 'Taxes on Income' be reduced by Rs. 1,000."
The motion was negatived.

Levy of Income-tax in Upper Burma.

U. Tok Kyi (Burma: Non-European): I move:

"That the Demand under the head 'Taxes on Income' be reduced by Rs. 100."
The object of this motion is to bring to the notice of the Honourable the Finance Member that income-tax should not be levied in Upper Burma

any longer. This morning I happened to move for the abolition of the export duty on rice in which Burma is vitally concerned. Now I have to move again for the abolition of another duty and you may think that I am very avaricious in my desire for having all duties imposed on Burma removed. In this connection I should like to bring to the notice of the House the fact that Burma pays no less than Rs. 14 per head towards revenue, whereas India as a whole pays only Rs. 5.7 per head. From these figures you can at once see how Burma has very unjustly and unfairly been treated in the matter of taxation. Sir, the Indian Income-tax Act was extended to Upper Burma four years ago. As soon as it was proposed to extend it to Upper Burma, I tried by means of questions to bring to the notice of the Honourable the Finance Member the undesirability of doing so. Over and above income-tax in Upper Burma we have got what is called the *thathameda* tax, a sort of household tax. This kind of tax, I believe, has not been imposed in any other part of the Indian Empire than Upper Burma. The people in Upper Burma are more or less very poor people. They find even the burden of the *thathameda* tax a very heavy one and there has been a movement for the abolition of that tax. For a number of years that movement has been afoot in the whole of Burma, but that has not brought about any tangible results so far

Mr. President: Does the Honourable Member make a complaint against the administration of the existing Act?

U. Tok Kyi: No, Sir.

Mr. President: To repeal it?

U. Tok Kyi: Not to enforce the Act in Upper Burma. To exempt Upper Burma from the operation of the Income-tax Act. This morning my Honourable friend, Mr. Couper, in his fine maiden speech, on which I should like to offer my congratulations to him, has pointed out the sad economic condition of Burma. He has dealt with the prevalence of murders and other violent crimes in that part of the country. I am convinced that the prevalence of violent crime in my part of the country is very largely due to the economic conditions obtaining there. Upper Burma is poorer than I think any other part of the Indian Empire. It is not a fertile country like Lower Burma: it is barren country except the portion where the oil wells are situated. But people residing in the oil wells area have to pay taxes of their own. They pay to the Central revenues over Rs. 1½ crores in the shape of excise duty on motor spirit and excise duty on kerosene. Those who reside in the rest of Upper Burma are extremely poor people and it is not meet and proper to make them pay income-tax over and above the *thathameda* tax they have been paying all along. As I said before, the Indian Income-tax Act was extended to Upper Burma four years ago, that is, in 1924-25. In that very same year the central Income-tax Department was reorganised. The number of assesseees in that year has increased from 17,080 persons to 25,093 persons and the collection of income-tax has increased from Rs. 1,02,68,025 to Rs. 1,20,12,643. These increases are not due, as might be expected, to the extension of the Income-tax Act to Upper Burma, but according to the Report on the Administration of Burma in 1924-25 the increases are reported "to be due in the main to better assessment". None of the income-tax authorities has claimed that the increases in that year have been due to the extension of the Income-tax Act to Upper Burma. As I said a little while ago, people in Upper Burma are

[U. Tok Kyi.]

very poor and they should not be made to pay any increased taxation. And another point which I should like to bring before the House is that only a few months ago—I speak subject to correction—the office of the Assistant Commissioner of Income-tax which was established three years ago in Mandalay, the capital of Upper Burma, has been abolished. It seems that work in Upper Burma is very light and there is no need for the services of a superior officer like an Assistant Commissioner of Income-Tax. With these words I commend my motion.

Mr. W. S. Lamb (Burma: European): Sir, at all times, I would like to support anybody who tries to lighten taxation in Burma. but on this occasion I cannot agree with my friend U. Tok Kyi. I would like to point out to him that he is not very well acquainted with income-tax and its history in Upper Burma. He stated that the Income-tax Act was applied to Upper Burma four years ago. I would like to tell him that when I left Rangoon in the year 1906,—that is nearly 20 years before the Income-tax Act was made applicable to Upper Burma—then I left Rangoon and moved to Upper Burma. I did not escape income-tax. I paid then and like every other European in Upper Burma have continued to pay down to the present day. (*U. Tok Kyi*: “Government officials also had to pay”.) U. Tok Kyi proposes that the tax might be repealed so far as Upper Burma is concerned. The effect of that would be that European firms and their assistants and Government officials would continue to pay income-tax and everybody else would go scot free. My friend referred to oil wells. He should thank the Finance Member for refraining for so many years from bringing the tax into all Upper Burma. In 1906-08 many of the Burmese well owners were getting a revenue of something like a lakh of rupees a month. They continued drawing many lakhs of rupees from the oil companies for a good number of years, but never at any time paid more than the *thathameda*. That is to say a man whose income was 50 to 60 thousand rupees a year would possibly be called upon to pay Rs. 40 as *thathameda* and in the matter of this *thathameda* tax, to which U. Tok Kyi has referred, it is perfectly well understood that if a man is called upon to pay it, the amount he pays is taken out of the amount of income-tax to which he is assessed.

Sir, I oppose the motion.

Mr. President (addressing the Honourable Sir Basil Blackett): Is it necessary for the Honourable Member to speak?

The Honourable Sir Basil Blackett: No, Sir.

Mr. President: The question is :

“That the Demand under the head ‘Taxes on Income’ be reduced by Rs. 100.”

The motion was negatived.

Mr. President: Mr. Anwar-ul-Azim.

Mr. Anwar-ul-Azim: I do not move my motion*, Sir.

Mr. President: The question is:

“That a sum not exceeding Rs. 65,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Taxes on Income’.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 13th March, 1928.

* “That the Demand under the head ‘Taxes on Income’ be reduced by Rs. 1.”

APPENDIX.*

Translation of a speech delivered in the vernacular by Mr. W. M. P. Ghulam Kadir Khan Dakhan.

I should like to begin my speech by quoting a few lines from a Persian Poet, which translated run as follows :

“Be afraid of the cry of the tyrannized because, whatever they pray for in times of grief—there is even a demand from God for such prayer—such prayer is sure to be accepted.”

Sir, I am extremely sorry that our Mussalman community is so backward and become so weak that its claims and reasonable demands are not paid attention to or heard. We were the rulers of India for a long time; at the present even our cries for service are not heard. I am very sorry for my Hindu brethren who instead of helping are going against us, and they are hindering us in our demands according to our population. It appears that they are bent upon opposing us, as even in this trifling thing they are vigorously opposing us. This attitude of theirs grieves our hearts. Hindu leaders have been asking us to work with them, and when they oppose our claims and reasonable demands, it is clear that they do not like us in their hearts and hate us.

Mr. President: Order, order. The Honourable Member should confine his remarks to the question of the representation of Muslims in the service.

Mr. W. M. P. Ghulam Kadir Khan Dakhan: Sir, before this Dr. Moonje has spoken on these points to which I want to reply. Sir, I want to bring to the notice of this House that in the constituency I represent, the Mussalmans form 75 per cent. of the population and the service given to them is between 10 and 13 per cent. If such were the treatment meted out to our Hindu brethren I am sure they would never have liked it or remained silent. The Government of Bombay, finding our claims reasonable, have issued a circular that 50 per cent. of appointments should be given to Mussalmans and even that circular has had no effect in my province owing to Hindu friends of the officers.

Mr. President: The Honourable Member should confine himself to the customs service only.

Mr. W. M. P. Ghulam Kadir Khan Dakhan: Sir, it is dark in the Customs Service, but I wanted to bring to the notice of the House that even in other departments of Government there is no light as regards service for Muslims. The Customs Department is full of Europeans, Anglo-Indians and Hindus, as these appointments are created for them only, which is very unfair to the Mussalmans. We are also grieved to find that Government are neglecting our claims. I hope that now our Hindu brethren will support us and even Government will help us by giving us a proper share in the services, for which I shall be grateful to both.

* *Vide* page 1338 of these Debates.

LEGISLATIVE ASSEMBLY.

Tuesday, 13th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Mr. K. Sanjiva Row, M.L.A. (Finance Department: Nominated Official).

QUESTIONS AND ANSWERS.

INDIAN ASSISTANT STATION MASTERS IN THE RS. 260 GRADE ON THE EAST INDIAN RAILWAY.

416. *Maulvi Muhammad Yakub: Is it a fact that there are no Indian assistant station masters on the East Indian Railway in the Rs. 260 grade, and that they are not promoted over this grade?

EMPLOYMENT OF TWO ANGLO-INDIAN LADIES IN THE PLACE OF THREE INDIAN TYPISTS IN THE DIVISIONAL SUPERINTENDENT'S OFFICE, EAST INDIAN RAILWAY, MORADABAD.

417. *Maulvi Muhammad Yakub: Is it a fact that three Indian typists of the Divisional Superintendent's Office, East Indian Railway, Moradabad, were brought under reduction, provided for elsewhere, and their places have been filled up by two Anglo-Indian ladies on higher emoluments?

OUSTING OF TWO INDIAN CONTROLLERS OF THE EAST INDIAN RAILWAY AT MORADABAD FROM THEIR QUARTERS.

418. *Maulvi Muhammad Yakub: Is it a fact that two Indian Controllers of the East Indian Railway at Moradabad were made to vacate their quarters to make room for Anglo-Indians?

CASUAL LEAVE OF INDIAN STATION MASTERS AND ASSISTANT STATION MASTERS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

419. *Maulvi Muhammad Yakub: Is it a fact that since Mr. Rogers is the Staff Superintendent in the East Indian Railway, Moradabad Division, even Indian station masters and assistant station masters are made to wait for nine months and over to get even a day's casual leave?

PROMOTION OF INDIANS TO "C" CLASS GUARDS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

420. *Maulvi Muhammad Yakub: Is it a fact that Mr. Rogers, Staff Superintendent of the East Indian Railway, Moradabad Division, has decided and ordered that the vacancies created by European and Anglo-Indian guards should only be filled up by Europeans and Anglo-Indians; and that no Indian should be taken as a "C" class guard?

PROMOTION OF INDIAN UPPER SUBORDINATES TO OFFICIATE AS ASSISTANT TRAFFIC SUPERINTENDENTS ON THE EAST INDIAN RAILWAY.

421. *Maulvi Muhammad Yakub: Is it a fact that since the amalgamation of the Oudh and Rohilkhand Railway with the East Indian Railway, no upper subordinate Indian belonging to the Oudh and Rohilkhand Railway section has been allowed to officiate as an Assistant Traffic Superintendent?

TRAFFIC INSPECTORS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

422. *Maulvi Muhammad Yakub: Is it a fact that four more Traffic Inspectors have been sanctioned in the Moradabad Division of the East Indian Railway, and that efforts are being made to give these posts to Anglo-Indians though qualified Indians are available?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer together questions Nos. 416 to 422.

Government have no information, but are making enquiries.

QUARTERS OF INDIAN UPPER SUBORDINATES IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

423. *Maulvi Muhammad Yakub: (a) Is it a fact that there are no servants' quarters attached to the Indian type of quarters for upper subordinates in the Moradabad Division of the East Indian Railway and, if not, why?

(b) Is it also a fact that the rooms and roofs of the quarters mentioned above are much smaller and lower than those of the Anglo-Indian or European quarters?

(c) Why is this distinction made?

Mr. A. A. L. Parsons: Government have no information, but I am having a copy of the Honourable Member's question sent to the Agent of the East Indian Railway for any action he may think to be required.

NUMBER OF SCHOLARSHIPS AND STIPENDS ALLOTTED TO PUPILS IN THE GOVERNMENT INDUSTRIAL SCHOOL AT DELHI.

424. *The Revd. J. C. Chatterjee: (a) Will Government be pleased to state how many scholarships and stipends are allotted to pupils in the Government Industrial School at Delhi?

(b) How many of these scholarships or stipends, if any, are held by pupils belonging to the depressed classes?

(c) In view of the acceptance of the Resolution moved by Mr. Jayakar in the Legislative Assembly, are Government prepared to direct, that a reasonable proportion of these stipends and scholarships be reserved for pupils belonging to the depressed classes?

The Honourable Sir Bhupendra Nath Mitra: (a) The following scholarships and stipends are allotted:

- (i) 15 scholarships of the value of Rs. 4 per mensem each to deserving boys after passing the 5th Primary Examination.
- (ii) 10 stipends of the value of Rs. 4 per mensem each to the sons of poor artisans and orphans after passing the 3rd Primary Examination.
- (iii) 25 scholarships at Rupee 1 per mensem each to deserving boys on their passing the 3rd Primary Examination.

(b) None of these scholarships or stipends are reserved for pupils belonging to the depressed classes and the figures as to how many are at present held by such classes are not readily available.

(c) In the Industrial School encouragement has been given to children of the artisan class. The suggestion made by the Honourable Member will be considered.

The Revd. J. C. Chatterjee: Are Government aware that the depressed classes in Delhi usually belong to the artisan class because they work with their hands in the leather industry? And that being so, will Government be pleased to give them some scholarships in the Delhi Industrial School, as there is not at present a single scholarship held by a boy of that class?

The Honourable Sir Bhupendra Nath Mitra: As I have already said, the suggestion made by the Honourable Member will receive due consideration

UNSTARRED QUESTIONS AND ANSWERS.

ISSUE OF RETURN TICKETS AT REDUCED RATES ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY, ETC.

376. **Mr. Gaya Prasad Singh:** (a) Are Government aware that on the Bombay, Baroda and Central India Railway,

- (i) return tickets at reduced rates are not issued?
- (ii) water is not provided in third class lavatories?

(iii) accommodation in the second class on the Malwa section is very limited, the carriages being too small; and as there is no intermediate class, there is much overcrowding in the second class?

(iv) many of the second class carriages are not provided with fans even in the hot weather?

(b) What steps do Government propose to take to remedy these shortcomings?

Mr. A. A. L. Parsons: (a) (i) Yes.

(a) (ii), (iii) and (iv) and (b). No complaints have come to the notice of Government, but a copy of the Honourable Member's question and this reply have been sent to the Agent of the Railway who will no doubt look into the matters mentioned.

RETIRING ROOM FOR INDIAN INSPECTORS AT KOTAH JUNCTION ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

377. Mr. Gaya Prasad Singh: (a) Are Government aware that at Kotah Junction railway station (Bombay, Baroda and Central India Railway) there is a room marked "European Inspectors' Room," but there is no such room for Indian Inspectors?

(b) Will Government kindly state if there are no Indian Inspectors on that line; and what is the reason for this racial discrimination?

Mr. A. A. L. Parsons: (a) and (b). No. There is also a retiring room for Indian Inspectors.

DATE OF THE EXPIRATION OF THE CONTRACT WITH THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

378. Mr. Gaya Prasad Singh: Will Government kindly state when the agreement or contract, if any, with the Bombay, Baroda and Central India Railway expires; and whether it is intended to renew it, or to bring the Railway under State management?

Mr. A. A. L. Parsons: The contract with the Bombay, Baroda and Central India Railway is determinable 13 years hence, on the 31st of December 1941. The question whether it should then be renewed has not been considered.

ANNUAL FAIR AT PUSHKAR (AJMER).

379. Mr. Gaya Prasad Singh: (a) Is it a fact that about the first week of November, on the occasion of the Full Moon, an annual fair is held at Pushkar (Ajmer), where horses, camels, bullocks, etc., come for sale, and is attended by many thousands of persons?

(b) Is it not a fact that the fair is held on the lands of private individuals?

(c) Do Government realize ground rents or any sort of charges from the owners of horses, cattle, shops, etc., and why? What arrangements are made for affording sanitary and medical facilities to those attending the fair? What was the total amount collected by Government during the last Pushkar fair, and how much was spent for providing sanitary and medical facilities, etc., to those attending the fair?

Sir Denys Bray: (a) Yes.

(b) Pushkar is a jagir village, and the fair is held partly on jagir land, partly on land belonging to private individuals.

(c) Government make no realisations and incur no charges on account of the fair. A capitation tax on the sale of animals is recovered by the District Board, who are responsible for defraying the expenses connected with sanitation, medical relief, upkeep of roads, etc.

CENTRE FOR THE EXAMINATION OF CANDIDATES FOR ADMISSION TO THE MERCANTILE MARINE TRAINING SHIP "DUFFERIN."

380. Mr. Gaya Prasad Singh: (a) Is it a fact that examinations for the selection of Indian youths for training for careers in the Mercantile Marine in the Training Ship "Dufferin," were some time back held in Bombay, Calcutta, Madras, Lahore, Lucknow, and Rangoon; and that 30 candidates have been selected for training?

(b) Will Government kindly state why Patna, the capital of the Province of Bihar and Orissa, was not chosen as a place for examination? Is it a fact that no one from Bihar and Orissa has been selected?

(c) Why was Lucknow selected as a place for examination, and not Allahabad, the capital of the United Provinces?

The Honourable Sir George Rainy: (a) Yes.

(b) Patna was not selected as a centre for examination as there was only one examinee from that place. The reply to the latter part is in the affirmative.

(c) Lucknow was chosen in preference to Allahabad as it appeared to be more convenient to the majority of candidates from the United Provinces.

EMPLOYMENT OF WOMEN UNDERGROUND IN MINES.

381. Mr. Gaya Prasad Singh: Is it a fact that the greatest number of women labourers are employed in the Province of Bihar and Orissa below ground in coal mines? What steps have been taken to withdraw them from such works?

The Honourable Sir Bhupendra Nath Mitra: The answer to the first part of the question is in the affirmative. As regards the second part of the question the attention of the Honourable Member is invited to the reply given to question No. 33 asked by Mr. N. M. Joshi in the Legislative Assembly on the 1st February 1928.

SMUGGLING OF OPIUM FROM NEPAL.

382. **Mr. Gaya Prasad Singh:** (a) Has the attention of Government been drawn to the "Report on the Administration of the Excise Department in the Province of Bihar and Orissa" for 1926-27 (page 2) in which it is stated that "Smuggling (of opium) from Nepal is on the increase, and that there seems to be reason to believe that there has been no decrease in the smuggling of Malwa opium"; and again at page 18, "Smuggling from Nepal is clearly on the increase" and "the figures suggest that smuggling from Malwa is as brisk as ever"?

(b) What steps have been taken to check this evil?

The Honourable Sir Basil Blackett: (a) The Government have seen the passages quoted.

(b) The preventive arrangements in Central India and Rajputana were considerably strengthened in 1926 and a special Department called the "Rajputana and Central India Opium Contraband Department" has been established with a view to check smuggling from Malwa. As the Honourable Member is no doubt aware, the possibility of securing the discontinuance of cultivation in the Malwa States is at present being investigated by a Committee appointed by the Government. Measures for checking smuggling from Nepal are being considered.

CONSTRUCTION OF AN AERODROME IN MUZAFFARPUR.

383. **Mr. Gaya Prasad Singh:** Is there any proposal to establish an aerodrome in Muzaffarpur and to keep an aeroplane there, military or civil? If so, what is the estimated cost?

Mr. G. M. Young: There is no such proposal.

ESTABLISHMENT OF PROVINCIAL PUBLIC SERVICE COMMISSIONS.

384. **Mr. Gaya Prasad Singh:** Have Government given their sanction to the establishment of the Public Service Commissions in the Provinces? If so, in which of the Provinces, and since when?

The Honourable Mr. J. Crerar: The making of a rule under section 96-B (2) of the Government of India Act authorising legislation by the Legislatures of Governors' provinces to create such Commissions is under consideration.

RECRUITMENT OF 75 PER CENT. OF INDIANS ON THE COMPANY-MANAGED RAILWAYS.

385. **Mr. Gaya Prasad Singh:** (a) Will Government kindly state the percentage of Europeans and Indians recruited on the East Indian Railway, Great Indian Peninsula Railway, Bombay, Baroda and Central India Railway, Bengal and North-Western Railway, North-Western Railway, Rohilkhand and Kumaon Railway, Bengal Nagpur Railway, South Indian Railway, and Assam Bengal Railway, since the introduction of the Lee Commission concessions to Indian Railways?

(b) If the 75 per cent. Indian recruitment has not taken place on any of the Railways, do Government propose to consider the question of stopping Lee concession benefits to the officers of those Railways? If not, why not?

(c) What steps have Government taken to ensure the 75 per cent. Indian recruitment on the Company Railways?

Mr. A. A. L. Parsons: (a) The Honourable Member will find the information he desires in Appendix G of the Report by the Railway Board on Indian Railways for the year 1926-27, Volume I, of which there are copies in the Library. The figures for the East Indian Railway, Great Indian Peninsula Railway and North-Western Railway are included under State-worked Railways.

(b) No. The Honourable Member would appear to have overlooked the exact terms of the recommendation of the Lee Commission which has been accepted by Government. They run as follows:

"The extension of existing facilities (for training) should be pressed forward as expeditiously as possible in order that recruitment in India may be advanced as soon as practicable up to 75 per cent. of the total number of vacancies in the Railway Department as a whole, the remaining 25 per cent. being recruited in England."

(c) The Administrations of Company-managed Railways were asked if they would follow the policy of Indianisation recommended in para. 42 (d) of the Lee Commission Report and accepted by the Government of India in respect of State-worked lines. They all agreed to do so.

PROVISION OF A HYDRANT TO SUPPLY DRINKING WATER TO INDIAN TROOPS AT JHANSI ON THE GREAT INDIAN PENINSULA RAILWAY.

386. **Mr. Gaya Prasad Singh:** Are Government aware that on the platform of Jhansi railway station (Great Indian Peninsula Railway) there is a water hydrant marked "Drinking water for British troops", but there is none for Indian troops? Why this racial discrimination in the matter of drinking water?

Mr. A. A. L. Parsons: Government have no information on the subject. A copy of the question and this answer will be forwarded to the Agent of the Railway, who will no doubt be prepared to put in another hydrant, if there is need for it.

LOSS CAUSED BY THE FIRE IN PESHAWAR IN OCTOBER LAST.

387. **Mr. Gaya Prasad Singh:** (a) Will the Government kindly state how many houses were burnt in the fire which occurred in Peshawar about the 7th and 8th October last; what was the approximate amount of property destroyed; and how many persons were rendered homeless?

(b) Is it a fact that the Peshawar Municipal Committee resolved to grant a sum of Rs. 20,000 for the relief of the poor who suffered in the outbreak of fire, but that the Deputy Commissioner as President of the Committee disallowed the sum? If so, will Government kindly lay on the table copies of the Resolution of the Municipal Committee, and of the orders of the Deputy Commissioner thereon disallowing the grant?

Mr. G. S. Bajpai: (a) and (b). The Chief Commissioner has been asked to furnish the information for which the Honourable Member asks. It will be supplied to him when received.

NUMBER OF HIGH AND MIDDLE SCHOOLS FOR GIRLS IN THE NORTH-WEST FRONTIER PROVINCE.

388. **Mr. Gaya Prasad Singh:** How many girls' high schools and how many girls' middle schools are there in the North-West Frontier Province, maintained by the Government, the District Boards, and the Municipal Boards, separately? If there are no girls' high schools, what steps, if any, are being taken to establish such schools?

Mr. G. S. Bajpai: A statement showing the number of high schools aided by Government, district board middle schools, municipal board middle schools and aided middle schools for girls in the North-West Frontier Province has been placed in the Library of the House.

HONORARY JUDICIAL OFFICERS IN THE NORTH-WEST FRONTIER PROVINCE.

389. **Mr. N. C. Kelkar:** (a) Will Government state the number of Honorary Additional District Magistrates, Honorary Sessions and Additional Judges, Honorary Magistrates, First, Second and Third Class, and Honorary Munsiffs, in the North-West Frontier Province?

(b) Are these offices held for effective judicial service or only as marks of position and dignity? If judicial functions are exercised by these persons, what provision is made for securing educational qualifications required for efficient judicial administration at their hands?

(c) Is the creation of such honorary offices due to considerations of economy? Will Government state the number of judicial cases decided by each of these categories of judicial officers during the last year?

(d) What would be the total expenditure for these posts if qualified stipendiary judicial officers were appointed?

(e) What are the measures now in force for recruitment and training of such judicial officers?

Sir Denys Bray: (a) A tabular statement is appended.

(b) The offices are held for effective judicial service. Only qualified persons are appointed.

(c) The creation of such honorary offices is not entirely due to considerations of economy. The number of judicial cases decided during the last year is shown in the statement.

(d) The information is not available and cannot be obtained without elaborate enquiry into the conditions prevailing in each District.

(e) Honorary Judicial Officers are appointed from qualified persons on recommendation by the District authorities and after consultation with the Judicial Commissioner. They received no preliminary training but are in many cases retired Government officials with ample judicial experience.

Statement showing the number of Honorary Officers serving in the North-West Frontier Province and their outturn during the year 1927.

Districts.	Honorary Additional District Magistrates.			Honorary Sessions and Divisional Judges.		Honorary Magistrates, 1st Class.		Honorary Magistrates, 2nd class.		Honorary Magistrates, 3rd class.		Honorary Mun- siffs.	
	Number of officers.	No. of cases decided.	No. of officers.	No. of cases decided.		No. of officers.	No. of cases decided.	No. of officers.	No. of cases decided.	No. of officers.	No. of cases decided.	No. of officers.	No. of cases decided.
				Cri- minal.	Civil.								
Peshawar	4	309	*1	17	36	2	1262	6 Benches	1220	..	..	1 2 benches	485 357
Hazara	1	96	..	..	..	2	205	..	..	..	..	3	177
Kohat	..	..	..	..	..	..	..	1	61	..	..	1	425
Bannu	1	269	..	..	..	..	..	1 1 bench	167 475	1	17	2	340
Dera Ismail Khan	2	161	..	..	..	2	..	1 1 bench	17 66	1	24	4 1 bench	299 213
Total	8	835	1	17	36	6	1467	3 8 benches	245 1761	2	41	11 3 benches	1726 570

* Remark :—Was appointed only from 21st November 1927.

POPULATION OF PESHAWAR CITY IN 1911 AND 1921, RESPECTIVELY, ETC.

390. **Mr. N. C. Kelkar:** (a) What was the population of the Peshawar City in 1911 and 1921 respectively? Also what was the strength of the population of Hindus, Sikhs, Muhammadans, Christians, and others in these two years? Have the limits of the Peshawar City for the purpose of protection been extended since 1911?

(b) Is it a fact that a large number of Hindus and Sikhs have migrated from the adjacent territory into Peshawar City for want of proper protection?

Sir Denys Bray: (a) I would refer the Honourable Member to the Census Reports of 1911 and 1921. As regards the limits of the Peshawar City for the purpose of protection, there has been no extension of the City wall, if that is what the Honourable Member means. Additional police have, however, been posted in the City for the purpose of patrolling and protecting the suburbs.

(b) No, Sir.

SANITATION IN PESHAWAR CITY.

391. **Mr. N. C. Kelkar:** Is it a fact that sanitary conditions in Peshawar City have become worse owing to the congestion of population? And if so, what steps are Government taking to remedy the same?

Mr. G. S. Bajpai: Portions of Peshawar City have been overcrowded for several years, and the congestion in these areas has become worse since the disastrous fire of 1927. A city extension scheme has now, however, been undertaken. There are no grounds for thinking that sanitary conditions in the city have deteriorated of recent years. New water supply and drainage system are on the contrary being installed.

NUMBER OF PUBLIC PROSECUTORS AND ASSISTANT PUBLIC PROSECUTORS
IN THE NORTH-WEST FRONTIER PROVINCE.

392. **Mr. N. C. Kelkar:** (a) What is the number of Public Prosecutors and Assistant Public Prosecutors in the North-West Frontier Province?

(b) What is the percentage of Hindu and Muhammadan holders of these posts at present?

(c) What is the total number of barristers and pleaders in the North-West Frontier Province, and how many of them are Hindus, Muhammadans and Sikhs?

Sir Denys Bray: (a) Three. Two Public Prosecutors and one additional Public Prosecutor.

(b) All are Muhammadans at present.

(c) 236, as follows:

Hindus 121.

Muhammadans 100.

Sikhs 13.

Others 2.

THE GENERAL BUDGET—LIST OF DEMANDS—*contd*

SECOND STAGE—*contd.*

Expenditure charged to Revenue—contd.

DEMAND No. 72—MISCELLANEOUS.

The Honourable Sir Basil Blackett (Finance Member): Sir, I move:

"That a sum not exceeding Rs. 16,43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Miscellaneous'."

The Indian Statutory Commission.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhamadan Urban): Sir, I beg to move:

"That the Demand under the head 'Miscellaneous' be reduced by Rs 3,40,000."

Sir, the motion that I have placed before the House is a necessary corollary to the Resolution adopted by this House on the 18th February, last. That Resolution runs as follows:

"This Assembly recommends to the Governor General in Council to inform His Majesty's Government that the present constitution and scheme of the Statutory Commission are wholly unacceptable to this House and that this House will therefore have nothing to do with the Commission at any stage and in any form."

The Demand to which my motion relates is for the expenditure of this very Commission which the House has decided it will have nothing to do with. I submit, Sir, that that decision stands and it is not open to the House to grant this Demand. The only course which is the logical result of the Resolution and the only course which is consistent with the dignity and honour of this House is to throw out this part of the Demand which I am attacking by my motion. It has to be remembered that when that Resolution was passed there were Honourable Members who voted for it and they were in a majority and there were those who voted against it. My humble submission to the House is that we both of us, both those who voted for the Resolution and those who voted against it, are concerned equally with upholding the dignity and honour of the House. That being so, I submit that it is the duty of one and all of us to support my motion. It is true, Sir, that when a matter is before the House which is an open question every Honourable Member has the right to hold his own opinion and to speak and vote in accordance with that opinion. But in the present case I maintain that we have fully exercised that right and, not only that, but have wholly exhausted that right by taking the verdict of the House on the merits of the question. It is now the plain duty of all Members to enforce that verdict by throwing out this Demand. There is another aspect of the question so far as my Honourable friends who voted against the Resolution are concerned. I take it, Sir, that all of

[Pandit Motilal Nehru.]

them, officials and non-officials, elected and nominated, are staunch upholders of the constitution. I call upon them one and all to support the constitution by supporting my motion, as that is the only way in which they can support the constitution. There is yet another ground which I shall place before the House and upon which I claim that every Honourable Member should support my motion, and that is this. It will be remembered that we have been reminded in season and out of season that the Statutory Commission is a Parliamentary Commission, and that we, either in this House or outside it, have no voice either in the constitution or the procedure of the Commission. Well, that being so, it is Parliament who should in the ordinary course of things nurture its own child and not foist it upon us. It is Parliament who should call the tune and it is Parliament who should pay the piper. So far as we are concerned, we have refused even to listen to that tune. I therefore submit that there is no occasion for us to entertain this demand. I can understand that if we had accepted the Commission and proceeded to appoint a Committee to collaborate with it, there might have been some sense in our being called upon to contribute at least a part of the expenditure which would be incurred by our own Committee. As it is, however, we have done nothing of the kind. On the contrary, we have declared emphatically and in unequivocal terms that we shall have nothing to do with this Commission in any form or shape, and yet, Sir, we are asked to co-operate with it in the most substantial form, namely, that of finding the money for it,—and not only finding the money, which is for the legitimate work of the Commission, but to treat them as our guests and to pay even for the propaganda which they are carrying on against the Resolution of this House. We are asked to find the money for their triumphal progress in the country, while the Government is protecting these unwelcome guests against their own hosts by police cordons and by orders under section 144 of the Code of Criminal Procedure, and these orders are passed and enforced while the procession marches through a seething sea of black flags and occasional riots. The grim humour of the situation is only equalled by the atrocious demand and both are surpassed by the audacity with which the demand is made. I hope, Sir, and I am confident that the House will rise to the occasion and uphold its dignity and honour and not submit to the shabby treatment to which it has been subjected. I submit, Sir, that we should be stultifying ourselves and this House if we grant this Demand. I do not propose, Sir—but I should like to have your ruling on the subject—I do not propose on this occasion to go into the merits of the question as I maintain that those merits are now closed, and the House having pronounced upon them, it is not open to any Member to go into them. But should you rule, Sir, that it is open to us to discuss the whole thing, I would like to say a word or two on the merits as a whole.

Mr. President: What is the exact point the Honourable Member raises?

Pandit Motilal Nehru: The point I raise, Sir, is that so far as the merits of the question, namely, that of the constitution and of procedure of the Statutory Commission are concerned, it is not open to the House to discuss them afresh after it came to the decision which it did on the 18th February last; but should you hold that it is open, I would like to address the House upon that point also.

Mr. President: The established Parliamentary rule of debate is that no Member is entitled to speak against or reflect on any determination of the House except on a motion for rescinding it. This is not such a motion, and therefore no Member will be entitled to speak against or reflect on the determination of this House arrived at on the Resolution of Lala Lajpat Rai. (Applause from the non-official Benches). What the Honourable Member proposes to do now is, not to reflect upon the determination of the House but to speak in support of it. But if I were to allow the Honourable Member to speak anything in favour of the determination of the House already recorded it would be unfair to shut out the other side. Therefore, I rule out every argument in favour of or against the determination of this House.

Pandit Motilal Nehru: Your ruling, Sir, makes my task all the more easy and I do not wish to detain the House at any greater length than I have already done. I wish only to repeat that I put my main point on two broad grounds. The first, as you have been pleased to point out, is, that this House has already come to a decision which we must uphold and which it is the duty of every Honourable Member to support, and the second is that as on the showing of the Government itself this is a Parliamentary Committee, it is the business of Parliament to supply it with funds and not of this House.

With these remarks, Sir, I move my motion.

The Honourable Mr. J. Crerar (Home Member): Sir, there are many reasons why I do not propose to detain the House at any length. In the first place I think that we have been invited to embark upon that unfruitful agricultural operation which has commonly been called "ploughing the sands". My second reason is that your ruling, Sir, to which I bow, necessarily restricts the discussion to a very narrow channel. Pandit Motilal Nehru began his remarks by saying that the motion which he moved was a necessary corollary to the Resolution which was passed at a recent Session of this House. On that point, Sir, I would quote a well known French saying, "I do not see the necessity of it". I was however gratified to find that the Honourable Pandit came forward in for him the somewhat unfamiliar capacity of an advocate of, and as one who made an appeal to the House to support, the constitution. (Hear, Hear from the Official Benches). Well, Sir, I must restrict myself to the very narrow issue that the House should pass the Demand for the Grant which has been made. My main reason is precisely the ground which Pandit Motilal Nehru has himself adduced, that is to say, the constitution. The House is now invited to make the necessary grant for funds, and the constitutional position is that as regards the general objects which Honourable Members, I think, in all parts of the House—though their opinions may differ—have generally in view,—with regard to all those objects—nothing can be done without the intervention of Parliament. The Statutory Commission is the instrument appointed through which this House, every political party, the whole country, can support the constitution. And I submit that if we really do intend to support the constitution, we ought to provide the funds which are necessary to enable that constitutional instrument to carry out its ordained operations. (Applause.)

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Let Parliament pay for it.

The Honourable Mr. J. Crerar: After all, what is the alternative? We are, I think, all agreed that something ought to be done and the grant of this Demand will provide a definite, clearly conceived and perfectly intelligible method of doing that something. (*An Honourable Member:* "Question.") And what, after all, is the alternative? We have heard . . .

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Send the Commission back.

Some Honourable Members: Send the Commission back.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-official): You want money for that!

The Honourable Mr. J. Crerar: We have heard of certain conclaves which have taken place during the last few weeks which, I understand, have addressed themselves to some at least of the issues which the House is now asked to have investigated or to assist in having investigated by this grant. And what has been the result? Two more Committees—I believe a familiar but as far as we are aware an entirely unfruitful expedient. The House is now asked to provide support for another and, as we have good reason to hope, a fruitful expedient. (Applause). If we honestly—I am not imputing anything but honest motives—but if we honestly and consistently and having regard to the practical facts of the case do desire that something should be done, then we ought to grant this money. After all, is there really any alternative to the wranglings and the controversies of the last few years and to the prospect of those wranglings and those controversies being continued for many years to come without any result? I say that we have here and now an opportunity presented to us by which, by granting this money which the House is now asked to grant, we do at least have a practical expedient for investigating and for coming to some conclusions which will be beneficial to the country. The Honourable Member who moved this motion has appealed to all the Members of this House, to every section of this House. His appeal might perhaps have been addressed to the whole country, because, as I ventured to point out in the recent debate on this subject, it is a mistake to suppose that the issue, which was then before the House and which now in its narrower aspect is again before the House, is an issue in which the only parties are His Majesty's Government, the Commission and the leaders of this Legislature and the leaders of the various political parties throughout the country. I ventured to point out then and I venture to emphasise again that there is a fourth party, the most important party, the party whose interests ought to be paramount, that is the country and the people of India. (Applause). If this debate is concluded in the interests of that party, then, Sir, I say that this motion will be rejected.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I beg to offer my full support to the motion moved by the Honourable Pandit Motilal Nehru. I have been surprised.

at the argument that has been used by the Home Member against that motion. He speaks of the constitution. Our protest, Sir, is that it is a most unconstitutional thing on behalf of the Government to incur expenditure on behalf of India without consulting the wishes of the representatives of the people of India. In winding up his speech the Honourable the Home Member referred to the interests of the country and of the people of India. I wonder, Sir, how an educated gentleman like him can put forward such an argument when he is trying to thrust upon this country and the people of this country expenditure against which the elected representatives of the people are here to lodge their protest. A thing like this is unheard of, Sir, in any other country except this. Who asked Parliament to appoint this Commission? My friend says that the Statute demanded it. Did the Statute demand that we, the people most concerned, should not be consulted before the Commission was appointed? I say "no". Anybody who asserts that the Statute demanded that the Commission should be appointed without regard to the wishes of the people of India asserts what is absolutely untenable. I submit, Sir, that the people of this country are represented here, logically, naturally, reasonably, by law by those of us who sit on this side of the House, and if the Government will continue this wicked policy of inflicting expenditure upon the people of India by their borrowings in London without consulting this House, by increasing against our protests expenditure on the Army, to the dictation of the War Office, and in numerous other ways, I submit that if in the face of these facts, we do not lodge our protest when we have an opportunity of doing so against such unconstitutional action, we shall be untrue to ourselves and untrue to our country. (Applause.) My friend spoke, Sir, of the evil results which will follow if the motion of Pandit Motilal Nehru is carried. What will be the evil result? Speaking in the fullness of authority as Secretary of State for India, Lord Birkenhead has assured the world that co-operation or no-co-operation on the part of the Assembly, the Simon Commission shall go through the whole gamut. He and his colleagues have said that the Commission is not going back in any event. We know that England is rich. It is not poor as it was prior to its connection with India. Those of my Honourable friends who laugh at this should read their own history. England was a poor country a hundred and fifty years ago. It is now a very rich country. It is competing with America in that matter now. I submit that the Commission should be paid for by those who appointed it. He who calls the tune must pay the piper. What is the meaning of all this? The Government of England appointed the Commission not only without consulting the people of this country but in spite of their protests. The Government here know that we have protested. We have protested formally by a vote of this Assembly and yet Government expect us to support the Demand they have put before the House. I do not blame them for bringing forward the Demand. It was natural that they should do so. But I am surprised that the Honourable the Home Member, who is a very shrewd man in many respects, should not see the utter incongruity—to use the mildest language—the utter incongruity of the arguments which he has addressed to this side of the House. He has told us that the result of the motion of my Honourable friend Pandit Motilal will be that a controversy which has lasted for several years will continue. Is that controversy to be ended by the grant of the sum that is asked for? I say, no. He also

[Pandit Madan Mohan Malaviya.]

twitted us, Sir, on the result of the labours of the Committee which has been sitting for the last two weeks to bring about an understanding between the different sections of the community. And he asked 'what was the result? Two Committees. I ask, Sir, is the Simon Commission going to appoint any Committees? Do you expect any man with any sense to rush through the constitution for the government of 320 millions of people in a few sittings? Why have you provided a period of two years for this very capable body of men called the Statutory Commission to investigate these matters? We have no official figures. We have not the Secretariat at our back; the Secretariat that we pay for is not at our service. We have not all the experience of Honourable Members who have worked for 30 or 35 years in various departments of Government to help us in our deliberations. We have been groping in the dark, and yet we expect to see clear light, because we possess intelligence and have a clear conscience, because naturally we have the interests of our country at heart. (Mr. K. Ahmed: "Why haven't you settled the differences between Hindus and Muhammadans"?) I tell you, I expect that these Committees will bring about better results than many at present imagine they would. But who would imagine Sir, that a Committee of the All-Parties Conference meeting together off and on for only 15 days in the time that could be spared from the work of this Assembly, would be able to complete its task of laying down the main points of a constitution for this country. I am sure my Honourable friend will see that his fling at us on that score is not just, and I submit, Sir, that these arguments cannot deviate us from the path of duty. Our course is clear. We have protested from the earliest moment we came to know that it was contemplated to appoint a Commission from which Indians would be excluded. We have protested against it as strongly as we could. We did not adopt an attitude of unconstitutional warfare against you. We did not object to your appointing any Commission. We simply protested in every reasonable constitutional method that was open to us, and we drew the attention of the Government in this country and in England to the strong feeling which had been excited amongst educated people in all parts of India, against the proposal to constitute a Commission to inquire and report what the next constitutional reform in India should be, without Indians. We argued, we reminded you of your promises, of your pledges, and also of our humble services to you in the hour of your need, but it all went for nothing. You were determined to appoint the Indian Statutory Commission without Indians in the face of the opposition, the united opposition, of the whole of India. You talk of parties, of some parties which are not with us on this question. I venture to say that those parties which are not with the bulk of the educated people of this country in this matter do not count. They will not count; they will not carry you very far; you may have a vote here and a vote there; you may hear of the garlanding of the members of the Commission here and a demonstration in favour of the Commission in another place, but that will not carry you very far. Sir, far be it from me to speak with any disrespect of Sir John Simon or the members of the Commission. We wish to speak of them with the courtesy and respect which is due to them as individuals. Our quarrel is with the constitution of the Commission. The Government have constituted this Commission in the teeth of the protests of the representatives of the people, and most certainly it does.

not lie in the mouth of the Members of Government to say that we are unreasonable in saying that we shall not pay for the Commission. What will the civilised world, what will impartial men think of us Indians if, after having received what we consider to be an affront, which my Honourable friends opposite do not imagine to be an affront, but what we all of us regard as an affront, we agree to vote the expenditure of the Commission, which we have condemned, which we have protested against before and protest again to-day, and against which the people of India protested by thousands of black flags which greeted the Commission when they went even to a place the Satrap of which thought he would have everything his own way there. That is the position, Sir, and I am sure as reasonable men we cannot do anything except vote down the Demand before us if it lies in our power to do so, and I hope that this at least is in the power of this House. I hope that every Indian Member will realise that the honour of the motherland is involved in his vote and that he will therefore vote against the Demand.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muham-madan Rural): Sir, as I was listening to the excellent speech of the Honourable the Home Member, there was something which struck me as a reflection upon the representative character of those of us sitting here. It is just a small point and I wish to bring it to the notice of the House. He said that not only the Government, the Commission and the various Legislatures in the country were practically before the consideration of the House but that there should be a fourth and a very important factor, namely, the people of this country; that we should pay due consideration to the larger interests of the people of this country. I wish, Sir, in all humility to ask the Honourable the Home Member to tell us who are the representatives, the accredited representatives of the vast dumb millions of this country. Is it for a moment contended—I am sorry to say that this point has been raised not only in India but elsewhere also—that we are not the true representatives of the country? That I think is the implication of the Honourable the Home Member's speech. If that is the contention, then I am sure this implication is absurd on the face of it. May I ask, Sir, whether the House of Commons in England during the time of Elizabeth or even during the time of George I, George II and George III was representative of the people of that country? We are aware that the present constitution does not go as far as we wish it to go, but it is not our fault: it is, if anybody's, the fault of the Government. Therefore, to say that we are not true representatives of the people of this country, and that there is a fourth factor apart from the Central Legislature and Legislatures in the provinces, is absurd, to say the least of it. That is one point that struck me because it has been raised here and also raised elsewhere. I believe Lord Olivier admitted in his speech in the House of Lords that however limited may be the Indian franchise, the elected Members of the Central Legislature in India represent and represent most excellently the people of India and their wishes and their interests. Therefore, I urge, Sir, that the point that the larger interests of the country ought to be consulted is rather a lame point and that it is a reflection upon the representative character of the elected Members of this House. This was the implication of the Honourable the Home Member's speech; and I am sorry that he should have spoken so.

[Mr. M. K. Acharya.]

There is one other small point which I wish to state before I sit down. I will urge upon this House that this motion of my Honourable leader should be passed for another reason, namely, to demonstrate, because they want demonstration, our capacity by using even the limited powers that are at our disposal under the present constitution. Sir, you have demonstrated, if any demonstration were necessary, how an Indian like yourself, who is flesh of our flesh and bone of our bone, could fill the presidential Chair of this House with a dignity, with a capacity and with a judicious acumen, of which any Speaker of the House of Commons may feel proud. (Loud applause.) We, the Members on this side of the House, are equally anxious to demonstrate how we are going to use even these very limited powers that we have under the present constitution; and the most excellent way of demonstrating our capacity is to throw out by an overwhelming majority the Demand that is now under consideration. Such a demonstration therefore will show that we thoroughly understand the provisions of the constitution and the rules and Standing Orders, and so on and so forth. We want to show to the world by making such a demonstration in this House that so far as we are concerned we are quite capable of exercising these powers in as efficient a manner as even the Mother of Parliaments can discharge its functions. For one reason if not for any other, having come to the decision on the 18th February that this House shall have nothing to do with the Statutory Commission, it is our clear duty to say that we shall not grant any money to a Commission with which this House has already decided that it shall have nothing to do. I am glad that we have got one more opportunity of demonstrating to the world how we go about our business, and how well we know what the true interests of the country are. For this reason, namely, to show that we have utilised the powers that are at our disposal under the present constitution, I urge upon every colleague of mine to rise to the occasion and say that we shall have nothing to do with this Commission, and that we shall not vote a single pie out of the revenues of India, out of the poor man's money, to take this Commission from place to place and to give them the pleasure of going round India. I think this question of cost was raised even in the House of Commons and the reply given was that, although the expenditure on the Commission would statutorily fall on the revenues of India, the Government of England would contribute very materially to the expenditure. I think the Government of England will do very well in wholly financing this Commission. It is they who are imposing this Commission on us; for their pleasure, and not for our benefit. Those who want to have any pleasure will have to pay for it. I think it is perfectly clear that this House should not grant that portion of the expenditure which is involved in this Demand which my Honourable leader asks us to reject. I hope there will be none who will for a moment waver over that point. It is a question of honour, it is a question of principle, it is a question of consistency and it is indeed a question of the larger interests of the country that demand that we should reject this Grant.

Mr. M. A. Jinnah: I was, Sir, somewhat astonished at the Honourable the Home Member laying down a most extraordinary constitutional

doctrine. As I understood him, he laid down that the Parliament has decided to appoint a Commission and that decision having been taken it is not open to this House to reject a grant for the purpose.

The Honourable Mr. J. Crerar: I did not say that. I said that it would be extremely unwise.

Mr. M. A. Jinnah: I am very much obliged to the Honourable the Home Member for having corrected his position. (*An Honourable Member on the Treasury Benches:* "Corrected you".) Therefore, Sir, we are not tied down by any constitutional conventions or laws to accept this Grant. Therefore, Sir, this House has got to face the issue on its merits whether it will be advisable or not that we should vote this Grant or not. That is the question I am prepared to meet.

Well, Sir, that being the issue, let us examine the position. The position is this, that the Parliament has appointed this Commission without consulting the wishes of any responsible persons in this country; that after the appointment of the Commission those who oppose it are to-day told they do not represent anybody. All the political parties in India protested against this Commission. I venture to say, Sir, that even those who are forced by reasons of their own to make the best of it disapproved of it and protested against the constitution of that Commission. We are told now, that it will be unwise not to allow this Commission to carry on its magnificent mission. Sir, we have already made it clear that this Commission cannot possibly do any good to India. It is not merely a question of the constitution and the scheme and the procedure which was announced by Sir John Simon as Chairman, but we feel convinced that this Commission is detrimental to the interests of India. We have debated that issue over and over again. We feel further that the very inception, the very fundamental principle on which the appointment of this Commission has been made, in itself postulates that India is incapable of any constitutional advance. Now we are told that in this business it is not only His Majesty's Government that is concerned, that it is not only the Parliament that is concerned and the political parties in India that are concerned, and the Government of India, but there is a fourth party and that is the interests of India and the country at large which has got to be considered. What does the Honourable the Home Member mean by this fourth party? Does he mean the collection of flunkies and *jo-hukums*? (Loud laughter.) Does he mean the poor ignorant people who are being exploited and sought to be taken into this trap by wiles of official methods? Does he mean that those constitute the fourth party in this country? Whose interests are to be safeguarded? Sir, this Commission the moment it landed has already received its toll of loss of life and injuries to people

Mr. W. A. Cosgrave (Assam: Nominated Official): Whose fault?

Mr. M. A. Jinnah: Your fault, because you are imposing, thrusting this Commission on India against the entire wishes of the people. This Commission is taken round the country on a tour of reconnaissance, for the purpose of reconnoitring this country, under the police guard and with the help

[Mr. M. A. Jinnah.]

of the C.I.D. and by means of the enforcement of the penal laws of this country (*An Honourable Member*: "Section 144".) and this is how you want to investigate and enquire into the constitution of India, and you want us to vote money for it. It is absurd. Sir, I really fail to appreciate the mentality of the Treasury Benches. Sir, I submit that there is but one answer and that is this, that this House must vote down this Grant. I was surprised that our Finance Member, who represents the Government of India, should have moved this motion. I at least did not expect him, as he has often declared that he is a Swarajist, a better Swarajist than any other Swarajist that we know, to move this motion.

Diwan Chaman Lall: Also an authority on lying!

Mr. President: Order, order.

Mr. M. A. Jinnah: And, Sir, when he made that declaration in this House from time to time I was inclined to doubt the declaration, but when the other day he shrugged his shoulders and walked out of this House I was inclined to think that he was somewhat of a Swarajist. (Loud Laughter). And when the division bell rang he regained his intelligence and went into the lobby and I believe recorded his vote.

Mr. President: Order, order. I do not think this is relevant.

Mr. M. A. Jinnah: Sir, I submit that it is perfectly relevant that the Finance Member who professes to be a Swarajist in this House, over and over again, should have in his wisdom thought it right to put this Grant before this House. That is my point, and I say, Sir, the Finance Member ought never to have submitted this Grant to this House.

Now, Sir, I do not want to discuss the question which the Honourable the Home Member referred to about the two Committees that are appointed. But, Sir, what is the point of it? Do you want to take advantage of our difficulties? Is that the reason why we must be forced to vote this money for the expenses of a Commission which we do not want? What an argument to advance!

I do not wish to detain the House any longer but I am sure that even the Honourable Members who were not inclined to vote in favour of the motion for not accepting this Commission will also consider that at any rate, so far as they are concerned, they ought to realise this, that this Commission, even according to their ideas, is not satisfactory, and they ought not to vote for this expenditure.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadian Rural): Sir, I had known the Honourable the Home Member . . .

Mr. President: The issue raised is a very narrow one and I do not know whether the Honourable Members would like to make any further speeches on it

Munshi Iswar Saran: I had known the Honourable the Home Member as an administrator and as a statesman, but to-day for the first time, I recognised in him an advocate of consummate skill. His skill was obvious when he was supporting an absolutely rotten case. He tells us that there is the Government, there is the Commission, there are these various political parties, but there is another party whose existence we should not forget. May I ask the Honourable the Home Member, with the profoundest respect, why is it that the Committee which it has been suggested should be formed is to be formed by the Legislatures and not by this fourth party of whom he talks? It is this Legislature which, if it chooses, is to set up a Committee which is to work with the Simon Commission. Sir, you cannot have it both ways. Either this Legislature is a representative body or it is not. Make your choice. Make up your mind and come to a decision. When it suits my Honourable friends on the other side they call this Assembly a representative body. When it does not suit them they try to divest the Assembly of its representative character. May I ask the Honourable the Home Member, during lunch time, or at once, to get the proceedings of the War Conference held in Delhi? There he will find the names of those who were invited in that hour of need in order to offer their help to Government. And who were those men? Most of those men who were invited on that occasion are the men who are now with us in our opposition. I remember two names now. There was Pandit Malaviya and there was Mr. Jinnah. These were the men who were asked to come, and I say, Sir, with confidence, these will be the men, if any trouble arises, —I hope it may not arise—who, if properly approached, will again offer their help to Government. It is unwise, if nothing worse, to treat these men as if they don't count at all.

The Honourable the Home Member used a very excellent expression "ploughing the sands". May I say that Government at the present moment are doing nothing but "ploughing the sands". They know what the verdict of the House is going to be on this question and in their heart of hearts they believe that the verdict this House will give is the only verdict which a self-respecting House can give consistently with the decision which it arrived at after two days' deliberation and discussion. Sir, the Honourable the Home Member has talked a great deal of the constitution. Now I shall ask him to remember this. Suppose this Assembly passes a Resolution to-day. Will it be open, according to the constitution under which we are working, for the Assembly to arrive at a different and a contrary decision only three or four weeks after? If we had made that attempt the Honourable the Home Member backed by his friends would have said "Here you are. This is what you are doing. Think of the Resolution which you have passed, and very soon after you are trying to undo what has already been done". I say that the Resolution which was arrived at on the motion of Lala Lajpat Rai is binding. Whether a man agrees with that Resolution or not is perfectly immaterial. As long as that Resolution stands it is not open to anybody—even to those who voted against us on the last occasion, to vote against the present motion if they are really anxious for the dignity of the House. Let me tell the Honourable the Home Member and his other colleagues and their henchmen that to-day the sincerity of their professions as regards their annuity for the maintenance of the dignity of this House is on trial. By their vote they will be known whether they are really anxious to uphold the dignity

[Munshi Iswar Saran.]

of this House. If they are, then the only obvious course for them is to abstain from voting and to let the independent and the elected or the nominated Members vote as they please; but as far as the official Members are concerned I submit it is only fair that they should abstain from voting. The question is perfectly simple, Sir. I submit that if you have any regard for the constitution under which we in this House are working, then the only conclusion you can arrive at is that you will not grant this money for a Commission which is unacceptable to us.

The Honourable Sir Basil Blackett: Sir, I move that the question be now put.

Mr. President: The question is:

“That the Demand under the head ‘Miscellaneous’ be reduced by Rs. 3,40,000.”

The Assembly divided:

AYES—66.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit N'layantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Ivengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Lajpat Rai, Lala.

Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijiit Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan.
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

NOES—59.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Abdullah Haji Kasim, Khan Bahadur Haji.

Ahmad, Khan Bahadur Nasir-ud-din.
Alexander, Mr. William.

Allison, Mr. F. W.

Anwar-ul-Azim, Mr.

Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.

Ayengar, Mr. V. K. Aravamudha

Bajpai, Mr. G. S.

Blackett, The Honourable Sir Basil.

Bray, Sir Denys.

Chatterjee, The Revd. J. C.

Chatterji, Rai Bahadur B. M.

Coatman, Mr. J.

Cocke, Mr. H. G.

Cosgrave, Mr. W. A.

Couper, Mr. T.

Courtenay, Mr. R. H.

Crawford, Colonel J. D.

Crerar, The Honourable Mr. J.

Dakhan, Mr. W. M. P. Ghulam Kadir Khan.

Dalal, Sardar Sir Bomanji.

Ghuznavi, Mr. A. H.

Gidney, Lieut.-Colonel H. A. J.

Graham, Mr. L.

Hussain Shah, Sayyed.

Irwin, Mr. C. J.

Jowahir Singh, Sardar Bahadur Sardar.

Kabul Singh Bahadur, Captain.

The motion was adopted.

Keane, Mr. M.

Kikabhai Premchand, Mr.

Lamb, Mr. W. S.

Lindsay, Sir Darcy.

Mitra, The Honourable Sir Bhupendra Nath.

Mohammad Ismail Khan, Haji Chaudhury.

Moore, Mr. Arthur.

Muhammad Nawaz Khan, Lieut.-Sardar.

Mukherjee, Mr. S. C.

Parsons, Mr. A. A. L.

Rafique, Mr. Muhammad.

Rainy, The Honourable Sir George.

Rajah, Rao Bahadur M. C.

Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.

Rao, Mr. V. Pandurang.

Row, Mr. K. Sanjiva.

Roy, Rai Bahadur Tarit Bhusan.

Sams, Mr. H. A.

Shah Nawaz, Mian Mohammad.

Shamaldhari Lall, Mr.

Shillidy, Mr. J. A.

Singh, Raja Raghunandan Prasad.

Suhrawardy, Dr. A.

Sykes, Mr. E. F.

Taylor, Mr. E. Gawan.

Willson, Sir Walter.

Yamin Khan, Mr. Muhammad.

Young, Mr. G. M.

Zulfiqar Ali Khan, Nawab Sir

Delegation to the International Labour Conference and Allowances paid to Delegates and Advisers.

Mr. N. M. Joshi (Nominated: Labour Interests): I move, Sir:

“That the Demand under the head ‘Miscellaneous’ be reduced by Rs. 100.”

The object of this motion is to draw the attention of this House to the fact that the Government of India does not send a full delegation to the International Labour Conference. Sir, according to the constitution of the International Labour Conference, every country can send two Government delegates, one employers' delegate and one workers' delegate. Besides these delegates, every country is entitled to send two advisers to each delegate for each item on the agenda. So far, the Government of India have sent delegates for the different Conferences, but as far as the advisers are concerned, they do not send a sufficient number of advisers. They sometimes send one adviser or two advisers. This year, I am told, they propose to send two advisers with the employers' delegate and two with the workers' delegate. But Sir, according to the constitution, they are entitled to send more advisers and it is necessary that the full number of advisers allowed should be sent. The Conference does its work through its several Committees and if the interests of the Indian workers are to be properly represented, then the workers' delegate must be accompanied by a sufficient number of advisers. Otherwise the interests of the Indian workers suffer for want of proper representation on the Committees. Sir, I do not know what prevents the Government of India from

[Mr. N. M. Joshi.]

sending a sufficient number of advisers to the International Labour Conference. Surely, they cannot plead want of money. Their Budget consists of hundreds of crores, and if they send four or five or even half a dozen more advisers, it will not cost them much, nor will their Budget be very much disturbed. The Government of India have got sufficient funds with them to spend and as it is necessary that the delegations that go from India should be full, so that the various interests that take part in the Conference should be adequately represented, the Government of India should hereafter send as many advisers as they are entitled to send, and I hope my motion will be accepted.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, I want to say only a very few words on this question. I need hardly say that the delegate who is sent from here is put to great inconvenience for want of suitable advisers to assist him. Sir, I had that experience because I was given no advisers when I was sent as the employers' delegate to Geneva with the result that out of at least nine Committees I could attend only one committee meeting. One has to work from 7 in the morning till 7 in the evening, and it is very difficult for one man to attend all the committee meetings and keep himself in touch with the deliberations of all of them. I might inform this House that, so far as other countries are concerned, they send their full quota of advisers. There is provision that for each of the subjects two advisers could be sent. On the last occasion there were three subjects on the agenda and consequently six advisers with the employers' delegate and six advisers with the labourers' delegate could have been sent. While the the delegate for labour got one adviser and the Government also sent their delegates in full strength, the employers' delegate was not provided with even one adviser. If my information is correct, even the Government delegates felt that the employers' delegate was put to great inconvenience for want of proper advisers, and I am quite sure that this matter has been also brought to the notice of the Government of India by their own delegates. I hope, therefore, Sir, that this time, when the Government nominate delegates to the International Labour Conference, they will bear this point in mind and see that the full quota is sent to represent India.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhammadan Rural): Sir, in speaking on this motion, I want to say just a few words in connection with the composition of the Indian delegation as a whole

Mr. President: I hope they will be just a few words

Mr. Sarabhai Nemchand Haji: I just want to state that, in reply to a question which I addressed to the Industries Department, I was told that the Government section of the delegation was composed of non-Indians partly because, as conditions exist in India to-day, more non-Indian officers of Government are on leave in England in summer than Indians. Now, Sir, I have nothing to say at the moment with regard to the composition of the various services in this country, but when it comes to the representation of this country at these International Conferences, I think it is a matter of great humiliation for India to find that her delegation at Geneva at these Conferences is composed partly or sometimes wholly of non-Indians. I have no doubt that the Government of India do save a little money by taking advantage of the fact that European members

of the services are available and are at hand in Europe in summer. But I am quite sure that, if a little additional expenditure is incurred in keeping the complexion of the delegation wholly Indian, the country at large would never grudge the small sum of additional money that would be necessary in order that not only the labour section of the delegation or the employers' section of the delegation but also the Government section should be wholly Indian in so far as it would enable India to take her proper place in the Councils of Nations which cannot happen until the Indian delegation is composed entirely of Indian nationals.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I shall deal first with the question raised by my friend Mr. Joshi and my friend Mr. Birla about the adequacy of the strength of the delegation. Their point was that we do not send a proper number of advisers with the delegates. I should in the first instance like to tell the House that there is no fixed number of advisers as there are fixed numbers of delegates. The provision in the Treaty of Versailles lays down that each delegate may be accompanied by advisers who shall not exceed two in number for each item on the agenda of the meeting. That is the maximum number prescribed.

The next point, Sir, is that under one of the provisions of the Treaty of Versailles we have to nominate the non-Government delegates and advisers "in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or work people as the case may be in their respective countries". Now, my friend Mr. Birla complained that last year we did not send any adviser with the employers' delegate. Might I ask him whether the various bodies who recommended his nomination as a delegate also recommended that any adviser should be sent with him? To the best of my recollection they did not make any such recommendation. That being the position, Sir, it was not possible for us to send advisers. This year apparently after the experience gained last year, recommendations have been made in regard to advisers for employers' delegates, and we are considering the matter most carefully

Mr. Sarabhai Nemchand Haji: Will you send the full quota this year?

The Honourable Sir Bhupendra Nath Mitra: I am not in a position to make any pronouncement on the subject now. As I said there is no full quota: there is a maximum permissible quota.

Mr. Sarabhai Nemchand Haji: The maximum of four this year?

The Honourable Sir Bhupendra Nath Mitra: As it is, we are now considering how many advisers we should send within that permissible quota. In the case of the workmen's delegate, we have, generally speaking, sent one adviser. This year we are considering the question of increasing the number of advisers. I am sorry I am not yet in a position to say how many advisers with the workmen's delegate will be sent this year, but the matter is receiving our most anxious consideration. In fact, as soon as this particular point was brought to my notice by my friends Messrs. Birla and Joshi—and they did satisfy me as to the need for more advisers—I took up the matter and in that connection I have been considering the question of sending a larger number of advisers with this year's delegation.

I will now turn to the quite different point raised by my friend Mr. Haji, that is, the presence of non-Indian officers with the Government

[Sir Bhupendra Nath Mitra.]

delegation. As I explained in this House on a previous occasion, it is not possible, Sir, under present conditions, to ensure that the whole of the Government section of the delegation shall consist of non-Indians. I should give a specific case. I had a Deputy Secretary in my Department, Mr. Clow, who for some time sat as a Member of this House. Mr. Clow's knowledge of labour conditions in India is unique and I am sure that my friend Mr. Joshi will accept that statement. So long as Mr. Clow is there and his services are available, I submit that it is only proper that I should send Mr. Clow as a member of the delegation rather than put in an untried man purely out of racial considerations. Now last year, for example, Mr. Lall, the present Deputy Secretary in my Department, was in England on leave, and his services were available. That being so, I attached him to the delegation as one of the advisers. But my sole point is this, that I must to some extent be guided by considerations of efficiency and I cannot wholly overlook from the point of view of the taxpayer considerations of economy. Therefore, it is impossible for me under the conditions affecting the composition of services in India at the present day to ensure that the Government delegation should consist wholly of Indians.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I venture to address a few words after the Honourable Member's reply on this question for two reasons. I think that one or two impressions that have been created—I do not think the Honourable Member meant to create those impressions—require to be cleared up and, if possible, removed. In the first instance, Sir, I think that this Legislature will recognize that, thanks to the conditions laid down by the International Labour Bureau and the League of Nations, Indians now get a look in at these International Conferences; because until we brought to the notice of the League of Nations the way in which the Government of India sent out Europeans to represent Indian interests in that League, Indians were practically not deputed at all by the Government of India as far as the non-official community is concerned. None, least of all the Indian commercial community, liked or desired to wash India's dirty linen before the internationals of the world. But we felt that as we could get no redress from our Government we had no option but to expose the manner in which real Indian representation was being kept back from these International Conferences. I am prepared and anxious to admit that, thanks to Sir Bhupendra Nath Mitra's solicitude, Indian interests have begun to be better served, inasmuch as for the very first time we got in the nomination of Mr. Ghanshyamdas Birla a person who was responsible to us, a person fit to voice the various Indian commercial and industrial interests at Geneva. He, Sir, told us of all his difficulties, of what can be done by the Indian commercial community, and how it is to India's interest to make sure that every delegate deputed by the Government is in a position to attend fully to the work at each conference, which it is impossible for a delegate to do if the Government of India do not give him the full quota of advisers. Sir, the year before last, when I happened to be in Europe, I had the honour of meeting some international representatives at one or two conferences, as the Government of India did me the honour to nominate me as their delegate. The one question which I had to answer at least half a dozen times to nationals from Germany, from France, America, Sweden and Norway was, "How is it that we do not see Indians oftener at these International Conferences but only Englishmen or Britishers?" I re-

member now after a speech which I delivered at one of these conferences I was asked, "Can Indians really speak in English as you do, and, if they can, why is it that your Government send Europeans?" I do hope that for the future the policy of deputing anybody but Indians will absolutely cease to exist. My Honourable friend Sir Bhupendra Nath Mitra made a great point of the fact that no Indian commercial body nominated advisers last year to help my friend Mr. Ghanshyamdas Birla. Perhaps Sir Bhupendra Nath Mitra has forgotten to-day that at least one Indian commercial body, the Indian Chamber of Calcutta, did nominate advisers to help Mr. Ghanshyamdas Birla. What we others felt was this. None of the representatives that were deputed by the Government of India till the year before last ever chose to tell us what they did there or to tell us of their handicaps and inconveniences and the facilities they wanted. I, in Bombay, and I will say it quite frankly, was under the impression that we were only being asked to nominate a representative of the employers and when the Government of India had made up their mind about that, they would inquire from us the names of the advisers to go with him. It is no use my Honourable friend saying that in the Treaty of Versailles there is laid down only a maximum. My Honourable friend, Mr. K. Ahmed I think, very intuitively interrupted and asked what is the minimum. In the eyes of the Government of India till now the minimum has been zero, and that is the point we wish to make. Japan, Sir, sends the maximum quota of delegates and the maximum quota of advisers to every International Conference. I know of one Conference where they had as many as 26 Japanese to represent Japan. Sir, again, does the question of economy only come in in the case of the Government of India and no other Government? And is it to come in the way of the Government of India only when India is to appear before the internationals of the world and not in the matter of internal economy? I think the point of economy is being rather done to death in this case and I hope it will not again be mentioned; it will not convince us. I fully agree that when you have a capable officer of the experience of Mr. Clow in the Honourable Sir Bhupendra Nath Mitra's Department, nobody would mind his going. But there may be equally capable Indian officers and their claims should not be overlooked. We want Indians, both official and non-official, to be trained in facing international conferences. I think whenever the Assembly reaches this Demand for Grant in the future they should vote the money only on an undertaking given by the Member in charge that the persons to be deputed to each of these conferences will be Indians and nobody else. I am not against Europeans being represented there, but, Sir, my Britisher friends get ample representation through England, and where India is to be represented it should be by Indians and by nobody else.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Sir, I want to add my testimony to that given by my friends Sir Purshotamdas Thakurdas, Mr. Ghanshyamdas Birla and Mr. Joshi about this matter. I was there at the 8th International Labour Conference and at that time no adviser was given to me at all. I found it extremely difficult to get on with the business of the Conference. But there is one more point made by Sir Purshotamdas Thakurdas which I want to confirm and repeat, namely, that the nationals of the other countries of the world entirely misunderstand the position of India when India is not represented by Indians. There can be only two reasons for such a course, they think; either that Indians are incompetent to represent Indian interests in International Conferences,

[Lala Lajpat Rai.]

or that the Government of India does not trust them. Whatever be the reason, the time has come when the internationals of the world want to hear what Indians have to say on questions affecting India. When I went to Geneva as a representative of labour I had the honour to meet almost all the representatives of labour from the different parts of the world; and I also made it a point to meet the representatives of capital (or rather the representatives of employers, to give them their proper title) who were at that Conference, and all of them put me the question, "Why cannot you Indians come and tell us what you feel on these questions relating to India?" Sir, I may point out at once that India is placed in a very false position by being represented by Europeans. They have a policy of their own to put forward which is not always in the best interests of India. For example, at the 8th International Labour Conference, when the point was raised whether the representation of Indian employees by a European merchant was a proper representation, then at that time, the representative of the Government of India from the office of the Secretary of State adopted the position that Indians need not represent the employers' point of view, and that the European merchant, being the nominee of the European Chambers of Commerce in India, was most representative of the employers. I think that was placing us in a false position. The world, Sir, wants to know *our* point of view, what we Indians think on questions affecting India. You would often be told there, as I have been by others, "We do not want to hear Englishmen, we know their views, we know what they are likely to say, we want to know what you have to say"; and I must tell you, Sir, that on all occasions when we spoke we received a most sympathetic hearing at those gatherings. Of course they may not accept all our points of view. We had to point out to them the necessity of treating all coloured people on the same footing as the white people. They may not accept our point of view fully, but they are most anxious to hear us, and it is absurd that we should be represented by Europeans and particularly by the office of the Secretary of State's Department in England, who cannot possibly put forward the point of view of Indians, and it therefore becomes absolutely unnatural that India should at these International Conferences be represented by European representatives of the Government of India or by European merchants. They may be experts in their own particular Departments but they cannot put in our point of view. I have given the House my experience at the Labour Conference, and I think that is the experience of other Indians who represented India at these Conferences on different occasions. I of course put forward my views, but the atmosphere was such that Englishmen representing India at those International Conferences certainly in effect prevented us from putting forward our views, and if that was so, the House can imagine what views they would put forward if they were the only representatives of India. Already there are many differences between Indians and Europeans on these questions, and therefore I submit it is not fair that in these International Conferences India should be represented by anybody but Indians.

Sir, I may also point out that it is extremely unfair that in this matter, which is of the greatest possible importance to Indians at the present moment, namely, the representation of India at International Labour Conferences, any false ideas of economy should prevail. As my Honourable friend Sir Purshotamdas has said, these ideas do not prevail in other Departments on other occasions, but whenever a question comes up of

representing India at these International Labour Conferences by Indians, this false idea of economy comes in and people are sent on who cannot and do not represent Indian opinion. Mr. Clow is a very good man, I know him, I admire him, but surely in some matters he cannot put forward our point of view. What we want to put forward there, is India's point of view, what India thinks on these questions of labour, of employers, and of hours of labour, and so on. It is not the Englishman's point of view that is to be represented there. Therefore, I submit that for the good name of India, for the good name of the British Government itself, it is absolutely necessary that the representation at these International Labour Conferences should be purely by Indians and by nobody else, and no false ideas of economy should stand in the way of this.

I do not want, Sir, to name any occasions. But I must tell you that there is another point of view, namely, that sometimes at these International Conferences we are committed to decisions of which we know nothing, and when those decisions come before this House and we raise questions about them, we are told, "Oh, India had already agreed to that". Take, for example, the convention about aircraft. Last year when we raised a discussion about aircraft, we were told we had already agreed to certain principles about aircraft. But who agreed to it? India did not agree but the representative of somebody supposed to represent India at the Imperial Conference agreed.

The Honourable Sir Bhupendra Nath Mitra: On a point of order, Sir. Is the Honourable Member in order in referring to that? We are now on the Labour Delegation.

Lala Lajpat Rai: The principle is very general, and I am pointing out how India suffers by not being represented by Indians alone in these International Conferences. As for the Labour Delegation I begged of my Honourable friend to give me an adviser but he could not agree. Sir, I mixed at that time with the representatives of the Dominions and I found Canada, Australia, South Africa all well represented. None of them made a point of economy: they sent full delegations. I think Africa was represented by about four men, and Canada was represented by six men. Ireland was represented by about six or seven men, and Japan always sends its full quota. Japan also sends one adviser for every subject.

Sir Purshotamdas Thakurdas: Sometimes two.

Lala Lajpat Rai: Thus all these countries have got a larger number of representatives on the International Labour Conferences than India has. We are thus at a disadvantage. Neither are we sufficiently represented in the International Labour Office itself nor are we adequately represented on the International Conferences. Therefore, we suffer a double injury. I submit the question is one of great importance because we want to show to the world that we can manage our own affairs and we can hold our own in all international affairs and debates. Why should we not be allowed to rub shoulders with others and know their point of view? I say, even in the interests of the Government of India we alone should represent India because we shall learn the rules of discipline and courtesy that are observed by Europeans in these Conferences. Sir, it is a great great wrong which is being done to India by not appointing pure Indians to these Labour Conferences. But I think objects underlying the sending of these delegates will never be achieved unless this House gets the right of selecting the representatives of India.

Mr. President: The question is:

"That the Demand under the head 'Miscellaneous' be reduced by Rs. 100."

The Assembly divided:

AYES—73.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Bhuto, Mr. W. W. Illahibakhsh.
 Birla, Mr. Ghanshyamdas.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit N. Lakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Hussain Shah, Sayyed.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kikabhai Premchand, Mr.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dhirendra Kanta.
 Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur Nawabzada Savid.
 Ayengar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Brav, Sir Denys.
 Chatterjee, The Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir Khan.
 Dalal, Sardar Sir Bomanji.
 Graham, Mr. L.
 Irwin, Mr. C. J.

Mehta, Mr. Jamnadas M.
 Mitra, Pandit Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijut Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Rafique, Mr. Muhammad.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Rai Bahadur Tarit Bhusan.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan Bahadur.
 Shafee, Maulvi Mohammad.
 Shah Nawaz, Mian Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Singh, Raja Raghunandan Prasad.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Tirloki Nath, Lala.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

Jowahir Singh, Sardar Bahadur Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mohammad Ismail Khan, Haji Chaudhury.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainv, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sams, Mr. H. A.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Stokes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.

Delegation to the Assembly of the League of Nations

Mr. N. M. Joshi: Sir, I beg to move:

"That the Demand under the head 'Miscellaneous' be reduced by Rs. 100."

Sir, in view of the discussion that has taken place, I need not make any long speech on this motion. The main point on which I want to make only one remark is this, that so far the leader of the delegation sent by the Government of India to the Assembly of the League of Nations has been a European. Indians have been saying that the leader of the delegation should be an Indian and the Government have been insisting upon a European being the leader of the delegation. The arguments used in favour of a European are two. One is that the European understands international politics. Now, Sir, this is a calumny upon those distinguished Indians who have attended the League of Nations, such as Sir Ali Imam, Mr. Hasan Imam, the Right Honourable Srinivasa Sastri and Sir Sivaswami Iyer, to say that they do not understand international politics as well as Sir William Vincent or Sir William Meyer. If, Sir, these two European gentlemen understand European politics and international politics, I am quite sure that Sir Ali Imam, Mr. Hasan Imam, the Right Honourable Srinivasa Sastri and Sir Sivaswami Iyer understand international and foreign politics. There is another argument used and that argument is that Indian Princes may not like to work under an Indian as the leader of the delegation. This, Sir, is also a calumny upon Indian Princes that they are not willing to work under an Indian leader. I am quite sure that Indian Princes are patriotic enough to prefer an Indian to a European. (Applause.) Then, Sir, I do not think that there is any argument which can be used except that the Government has no confidence in an Indian. They fear that if an Indian is selected, no matter whether the Indian is Sir Ali Imam or Mr. Hasan Imam or the Right Honourable Srinivasa Sastri or anybody else, or for the matter of that my friend Sir Bhupendra Nath Mitra or Mr. S. R. Das, a member of the Executive Council, the fact is that the Government of India do not trust them in international politics. They feel that if they attend an International Conference, it is quite possible that they may say things which the Government of India may not like. This is a fact, Sir, that the Government have no confidence; no trust in Indians as such, whether they are members of the Executive Council or whether they are Indians coming from public life. That may be, Sir, one reason why the Government of India do not send Indians. Or there may be another reason. Sir, any Indian who attends an International Conference under a European delegate knows how humiliating that position is, and there are people who generally ask us questions as to why a particular gentleman is made the leader. Sir, it is quite enough that we are ruled by a foreign country. Is it necessary for Great Britain to humiliate us in International Conferences by telling the whole world that it is Great Britain that is ruling over India and India is not self-governing? Sir, I cannot see any other reason for the Government's refusal to appoint an Indian as the leader of the delegation except that they have no confidence in any Indian, whatever may be his position, or that they want to humiliate India in the international world.

I hope, Sir, that this House will pass this motion with as large a majority as it passed the last one.

Mr. C. Duraiswamy Aiyangar (Madras Ceded Districts and Chittoor: Non-Muhammadian Rural): Sir, I have great pleasure in supporting the motion made by my Honourable friend, Mr. Joshi. I myself proposed a cut under this head and I wanted to grant only one rupee for the expenses of the Indian delegation to the League of Nations. But, Sir, owing to certain circumstances I cannot press the motion which stands in my name, but I take much pleasure in supporting the motion which my Honourable friend Mr. Joshi has made. Sir, it has always been a problem with me how the Indian delegation as it is called could consist of persons who could not in the least represent the Indian people. It may be that in the other nations the Government may choose its own representatives but they are Governments of the people and for the people, while the Government and the people in this country are poles apart. I do not find any justification for the Government choosing its own representatives and calling them the Indian delegation to the League of Nations. Sir, we find year after year ever since the Indian delegation has commenced its labours that three persons are chosen by the British Government at home and three go from India. I ask why should there be these duplicate gramophones of the same Master's Voice. We have Sir William Meyer, Lord Willingdon, Lord Chelmsford and Lord Hardinge to represent India, a Maharaja of an Indian State is also to represent India and also an official or a pro-official-non-official not to say pseudonon-official to represent the third place. I ask is this a proper representation of India in the League of Nations? And what is it that we have found as a result of this kind of representatives being sent to the League of Nations. We bear at our cost a considerable calumny of the people of India and their leaders. A Mr. Campbell goes there and represents that the Indian people are fond of opium, that Indian leaders are fond of opium (Laughter), and that Indian leaders, like Mahatma Gandhi and Sir Robinranath Tagore, are not opposed to the Government policy in matters connected with opium. Now, we are asked to contribute for the expenditure of these persons who not only do not represent India but who positively misrepresent the Indian people and exaggerate the saintliness of the Indian Government to which they themselves lay no claim. As one example of it I only wish to point out what Willoughby has said on page 57 of his book called "Opium as an International Problem". The Indian representative Mr. Campbell said:

"The Government of India had at no time, either as regards its internal or external consumption, allowed revenue considerations to determine its policy. He desired to lay stress on that point."

And yet year after year so far as the internal consumption of opium is concerned, we find an increase in the revenue not with a desire to increase but as a consequent effect of the reduction in the export. Even in the present Budget we have found that there is an increase of revenue under opium. I would not, however, dwell upon that subject any longer.

Now, Sir, I ask what is really the function of India in the League of Nations? What is the benefit that we have been deriving from the League of Nations? Are we taking part in any international politics? Are we taking part in any international questions that are of great and serious importance and that concern India? I have in this connection got the authority of Sir Ramaswami Aiyar himself who says the following:

"It is true that many of the problems coming up for discussion before the League are essentially European in character and do not concern India in the narrower sense,

But he would be both petty in outlook and short-sighted in policy who does not see in most of the activities of the League a genuine effort to promote that active and practical comradeship without which world-opinion cannot be adequately formed."

The function of the Indian representatives in the League of Nations is that they should take part and deliberate on matters concerning the European powers and that, as an indirect consequence of it, we should get some benefit of a so-called comradeship. What comradeship of nations have we so far realised? We have not yet realised it at all. On the other hand, we are told sometimes here even on the floor of this House and it was stated by a responsible person that India is not a nation. If India is not a nation, then I ask what is our place in the League of Nations? It is much better that you should leave us alone. And when we have shown to the world that we are a nation, then we will send our representatives to the League of Nations, but we do not want representatives of the kind that you are sending now. Leaving aside all these important considerations, the Right Honourable Srinivasa Sastri, who once represented India in the League of Nations complained about a small matter but even that small matter deserves the consideration of this House in voting against this demand. The Right Honourable Srinivasa Sastri spoke as follows:

"The first grievance relates to our representation in the Secretariat of the League. I will not go into figures. I am anxious to keep on the right side with the Secretariat, and I will not antagonise them by going into any vast array of figures. But I wish to say one thing. When we are taxed for the expenses of the League, we are ranked very high indeed. We come in the first or the second class. Last time we paid about 4.8 per cent. of the expenses, and, under the new scheme, we are told we must go up to about 6 per cent. or a little over. I will mention only one or two things in this connection. Of about 351 members of the Establishment, 138 are British, 73 are French, 16 are Swiss, and the Americans, who are not yet members of the League—I do not grudge their share—come in for 13. Where does India stand? She has one solitary representative."

This is, Sir, what the Right Honourable Srinivasa Sastri himself complained. I would call it a very trifling consideration of getting some employment for Indians in the Secretariat establishment, but even in this petty matter there exists a grudge. And after the lapse of so many years we find now probably three or four Indians who are employed there. Sir, they have made a rule there that not a single Indian is fit enough even to be appointed a stenographer or a reporter in the League of Nations. With regard to higher questions, they are not concerned with India in the least. They do not care how India is governed. And, Sir, what has the League of Nations done so far as we are concerned? Have they settled the dispute between the British Government and ourselves? That is the chief concern of the League of Nations. They must act as arbitrators. Under no kind of jurisprudence do I find that the arbitrator will be the one party against whom a grievance is lodged by the other party. For instance, the Britishers claim that they are the guardians and we are their wards. So, if there is a dispute between the guardian and the ward, it is not the guardian that can be the judge or arbiter but a board of conciliation on which none from the British Empire should sit. Why should not the League of Nations set up such a Board to promote comradeship, and thereby establish the justification for taking India as one of the representatives in the League of Nations? Absolutely

[Mr. C. Duraiswamy Aiyangar.]

nothing of the kind has been done. What is it that they are concerned with so far as India is concerned? They want that the export of opium from India should be stopped, but as regards the internal consumption of it, which is a matter of the greatest importance to India, they have nothing to do with it, that is why the Indian Government is able to throw dust in the eyes of the League by simply reducing the export. I ask, Sir, is there any justification, therefore, for India to contribute a large amount to the League of Nations which is meant to pay the expenditure of an Indian delegation which is really not an Indian delegation but is only the *alter ego* of the British delegation and plays second fiddle?

Sir, I heartily support Mr. Joshi's motion.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Sir, I have considerable sympathy with the motion of Mr. Joshi, but there is one aspect of this matter which I wish to bring before this House. There is considerable need that this House should really give some practical proof of their intention to educate themselves and the country on the questions which the League of Nations takes up and the ideals for which the League of Nations stands. It is all very well to say that the voice of India is not heard at Geneva as it ought to be heard. We have also got to realise that in every country from which a delegation is sent, the general public take a very active interest in the affairs of the League of Nations. In Great Britain there is the League of Nations Union, the object of which is to foster strong public opinion in favour of the ideals for which the League stands, and also to impress on the delegation that is sent from that country the views of the nation. Now, that League of Nations Union in Great Britain has at the present time a membership exceeding a million people. At the last election for the British Parliament candidates for membership of Parliament had to state in a great many constituencies whether they were members of the League of Nations Union. What have we in India done to form a healthy and well informed public opinion either in favour of the League or against it? We have a Union existing here in Delhi—I have been Secretary, (Loud ironical cheers.) I am not ashamed to own it. It does stand for some of the finest ideals in the world. I am not ashamed of the League and shall continue to be Secretary. We have sent out circulars to Members of this House on a great many occasions, asking them to join the League of Nations Union. It may be said that by joining they would be committed definitely to sympathy and support of all that the League does. It means nothing of the kind. All you have to do is to join and to read literature on the subject.

Mr. President: Order, order. This is not the place to make propaganda. (Loud cheers from the Opposition Benches.)

The Revd. J. C. Chatterjee: I am merely developing my argument, Sir. It is said that enough Indians are not sent to form part of the Delegation to the League. Every year the Delhi League of Nations Union has held a public meeting addressed by Indian delegates to the League of Nations. How many Members of this House have taken the trouble to

go three miles to hear what their countrymen have done in Geneva? (Cheers from the Government Benches.) Unless we are able to form a strong public opinion in this country, so as to back up our demand, by strong action and strong sympathy, we can do nothing. If we do that, we shall be justified in saying that since we are taking that interest in the affairs of the League of Nations we can bring Government to give more attention to what we are saying. Unless you are prepared to do that, unless you are able to educate public opinion in the affairs of the League, even though it may be by way of criticism or otherwise, you will not be in a position to do much. If our interest in the League of Nations, is confined merely to the composition of the Indian delegation, the outside world may think we are only concerned with that consideration. But if we take a real and intelligent interest in the work of the League, and help to form public opinion on the subject

(At this stage there was a tremendous uproar consisting of shouts of "Withdraw, withdraw", from the opposition, during which Mr. Joshi stood up and tried to make himself heard.)

Mr. President: Order, order.

The Revd. J. C. Chatterjee: I say if we do that, ...

(Cries of "Withdraw, withdraw" from the Opposition Benches.)

Mr. President: Order, order.

The Revd. J. C. Chatterjee: I say, if we are prepared to do that, then we shall have a much greater claim to ask for what we are asking to-day. (Loud cheers from the Government Benches.)

Lala Lajpat Rai: Sir, I think I know more of the League of Nations than the Revd. Mr. Chatterjee does, in spite of his being Secretary of the Delhi Union. I have been to that office more than once. It is not a question of propaganda. It is a question of the status of India in the League. India was made an original signatory to the Treaty of Versailles. When that Treaty was being discussed in the Senate of the United States of America, Senator Reed, got up and said:

"The British Government have managed to have one additional vote by getting a seat for India in the League of Nations, although India is not a self-governing nation, but a nation of three hundred million chattels managed by the British."

That is the reason why India was made an original signatory and saddled with the cost of the League of Nations. We get nothing from there but Great Britain gets an additional vote. The League is practically owned by the British, the French and one or two other nations. What we want by this cut is not a chance of any elected Member of this House being sent to the League. There is no chance of that as long as the present constitution of the Government of India continues. What we are contending for is the honour of India. Even if any of the Princes, any of those in whom Government have confidence, is appointed a leader, this point of principle will be conceded. What we are fighting for is, not for one of us to go there. We would be quite out of place there, because

[Lala Lajpat Rai.]

we have not got the necessary qualification, namely, to support the British Government at all costs and in all circumstances. What we are fighting for is the question of principle, a question of the honour of India. We do not care who is appointed, so long as he is an Indian who is appointed leader. The British Government can vindicate its action in having India as an original signatory to the Treaty of Versailles only when it sends an Indian delegation under Indian independent leadership.

(Several Honourable Members moved that the question be put).

Mr. President: The question is that the question be now put.

(At this stage, Mr. Graham rose to speak.)

Mr. President: Mr. Graham.

Mr. L. Graham (Secretary, Legislative Department): Sir, I have no wish to detain the House at any length. A great deal has been said on both sides, but putting aside the somewhat hysterical interlude on the part of Mr. Duraiswami Aiyangar, who apparently wishes that the League should settle outstanding questions between Great Britain and India, the real question which we are left with on this motion is the constitution of the Indian delegation and its leadership.

I should like to confine myself to those two points, and in doing so I shall try to be very brief. I did in this House the other day make a statement which was originally made in the Council of State by the Honourable the Law Member with very great deliberation and with very careful selection of language on the subject of the Indian leadership, and the reason why it was made so very carefully is that the last thing which the Government wish to do is to offend Indian feeling in this matter. There is no question of putting a slight upon India. A team goes to represent the Government of India, and for reasons which were stated—perhaps I had better read them again—it has been the deliberate conclusion reached after very careful consideration by the Secretary of State and the Government of India that that team should be headed by an Englishman.

Pandit Madan Mohan Malaviya: By an Englishman?

Mr. L. Graham: By an Englishman.

Mr. R. K. Shanmukham Chetty: When was it decided?

Mr. L. Graham: This was announced on the 24th August 1926.

Mr. R. K. Shanmukham Chetty: In the Council of State?

Mr. L. Graham: In the Council of State. The announcement was to the following effect:

"With regard to the leadership of the delegation, somewhat different considerations arise. The discussions at the meeting of the Assembly invariably include in

their scope difficult questions of foreign policy and international relations. For these in the case of India under the present constitutional arrangements, the Secretary of State for India is responsible, and as a Member of the British Cabinet he is of necessity fully acquainted with the trend of the policy of His Majesty's Government in regard to these matters. It has accordingly been customary to appoint persons to lead the delegation who, in addition to possessing personal knowledge of India and Indian conditions, have been in a position to appreciate the guiding principles of His Majesty's Government's foreign policy and are thereby specially qualified to carry out the responsibilities devolving on the Secretary of State in this regard."

Sir, the Members of this House may agree with that or they may dispute it, but they cannot find in it a slight upon India.

Now Sir, I proceed to the constitution of the delegation. Those Members who, more fortunate than myself, have attended the meetings either as delegates or substitute delegates or even as spectators of the Assembly of the League of Nations, are aware that the greater part of the work of the Assembly is done not in the Assembly but in six Committees. Now, Sir, the actual number of delegates—the maximum number of delegates—allowed under the Covenant is three, but in addition the Government may send a number of substitute delegates. We have gradually been increasing our team, Sir, with a view to enable ourselves to get adequate representation and to play our part fully and play it well in each Committee. Our team for the last two years has consisted of three delegates and three substitute delegates, and on each occasion, Sir, the proportion of Indians and Englishmen has been two Indians to one Englishman. In the last session in 1927 the leader was the Rt. Honourable the Earl of Lytton. The other two delegates were His Highness the Maharajah of Kapurthala and Sir C. P. Ramaswami Iyer. There were with them as substitutes,—I may remark here, Sir, that substitutes in Committee rank equally with the delegates,—there were with them Sir Edward Chamier, well known to those Members in this House who come from the United Provinces, Sir Fazli Hussain, and Sir B. K. Mullick. There, Sir, you have a team of six, four of whom are Indians, and in the opinion of the Government of India they form a most adequate team to represent the Government of India. Moreover, Sir, I have no hesitation in informing this House from information received by us from entirely reliable sources that that team made a very good name for India at Geneva. I have a communication, Sir,—unfortunately I have not brought it with me—which said there was no doubt about it that the Indian delegation at Geneva was the best of the Asiatic delegations.

I do not think, Sir, that we should take up questions outside these, because I really think those are the questions about which the House would mostly like me to clear up the Government attitude before its vote—that is to say, the leadership and the general constitution of the delegation. The question, I think, of representation in the Secretariat does not really arise on this vote. I may remark here that we have three times—in 1922, 1924 and 1926—instructed our delegates to press for an increase in the employment of Indians in the Secretariat at Geneva, but, as I have had occasion previously to say in this House, vacancies do not occur every day. The original staff has been recruited and it is not easy to get what we might call proportionate representation for every nation, that is to say every member, in that body.

[Mr. L. Graham.]

I trust, Sir, that those Members of the House who take an interest in this matter will increase every year. I am not proposing to do propaganda for the Indian League of Nations Union, though we should certainly be glad if more Members of this House were members of that Union. I have only therefore, Sir, to say that I have set before the House the attitude of the Government of India in respect of the leadership and of the constitution of the Delegation, and I trust that the House will put their seal of approval upon the attitude of the Government of India by rejecting this motion.

Mr. President: The question is:

“That the Demand under the head ‘Miscellaneous’ be reduced by Rs. 100.”

The Assembly divided:

AYES—76.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Bhuto, Mr. W. W. Illahibakhsh.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Diwan.
 Chatterjee, Revd. J. C.
 Chetty, Mr. R. K. Shaumukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit N. Iakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Hussain Shah, Sayyed.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kulkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kikabhai Premchand, Mr.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta
 Lajpat Rai, Lala.
 Malavica, Pandit Madan Mohan

Mehta, Mr. Jamnadas M.
 Misra, Pandit Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Muhammad Nawaz Khan, Lieut.-
 Sardar.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijiut Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Rafique, Mr. Muhammad.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Rai Bahadur Tarit Bhushan.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khar-
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Singh, Raja Raghunandan Prasad.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Sidheswar.
 Tirloki Nath, Lala.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

NOES—45.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterji, Rai Bahadur B. M.
 Coatsman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Irwin, Mr. C. J.

Jowahir Singh, Sardar Bahadur
 Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji.
 Chaudhury.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Sams, Mr. H. A.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.

Mr. President: I understand that no Honourable Member now wishes to move any further cut on this Demand.

(Honourable Members: "No.")

Mr. President: The question is:

"That a reduced sum not exceeding Rs. 13,02,800 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Miscellaneous'."

The motion was adopted.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following message has been received from the Secretary of the Council of State:

"I am directed to inform you that the Council of State have at their meeting held on the 12th March, 1928, agreed without any amendments to the Bill further to amend the Inland Bonded Warehouses Act, 1896, for certain purposes, which was passed by the Legislative Assembly on the 21st February, 1928."

SECOND STAGE—*contd.*

Expenditure charged to Revenue—contd.

DEMAND No. 82—EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE FOR INDIA.

The Honourable Sir Basil Blackett: Sir, I move :

“That a sum not exceeding Rs. 13,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Expenditure in England under the control of the Secretary of State for India’.”

Powers of the Secretary of State for India.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I ask your permission to move the motion that stands in my name and which runs as follows :

“That the Demand under the head ‘Expenditure in England under the control of the Secretary of State for India’ be reduced by Rs. 13,00,000.”

I desire to assure the House, in the first instance, that the large sum of money which is proposed to be deducted from the Grant to the Secretary of State need not frighten any Member of this House. My object in moving this is merely to raise a constitutional issue, a very important constitutional issue, in which I am a firm believer. I believe in the progressive development of the powers of the Governor General in Council and the powers of this House and a corresponding reduction in the power of the Secretary of State and the power of the British Parliament over Indian affairs. The power of the Secretary of State, Sir, is fully set forth in section 2 of the Government of India Act, and with your permission I shall read a brief extract :

“The Secretary of State may, subject to the provisions of this Act or rules made thereunder, superintend, direct and control all acts, operations and concerns which relate to the Government or the revenues of India and all grants of salaries, gratuities, allowances and all other payments and charges out of or on the revenues of India.”

This section read with section 33 in which the Viceroy is enjoined to give due obedience to the Secretary of State, confers powers more comprehensive than the East India Company or even the Moghul Emperors possessed. During recent years political opinion in India has veered round in the direction of India as against Whitehall. During Lord Minto's regime. I know very well, the political opinion led by my esteemed friend, the late Mr. Gopal Krishna Gokhale, was in favour of looking upon the Secretary of State as the ultimate court of appeal and the India Council as the last trench in which the battles of financial justice should be fought and won. Then, Sir, with the promulgation of the famous Delhi despatch during the Durbar, at which His Majesty the King-Emperor was present, which defined the goal of India to be provincial autonomy, the opinion of Indian political bodies veered round in the direction of India and they

claimed more powers to the Governor General in Council than to the Secretary of State. With the reform movement of 1919-21, the position underwent a complete change, followed by changes in the Secretaries of State which began with Mr. Montagu, and the exercise of the extensive powers became liable to considerable variations. But I feel, Sir, that at no time have those powers been used with greater rigour than at the present. Sir, I can recall successive Secretaries of State. When I was a boy, I knew that the Marquis of Hartington was our Secretary of State, and to-day I know the Noble Earl, Lord Birkenhead, is the Secretary of State for India, who fills his position with such conspicuous ability and distinction. I have often noticed, Sir, that in the transactions with India, no matter whether the Viceroy is a brilliant man or the Secretary of State is the weaker man of the two, the man at Whitehall has always won. Who can forget the battles between a mediocre Secretary of State and a brilliant Viceroy? Who can forget the conflict over the Kitchener-Curzon controversy? Within recent years I have seen another mediocre Secretary of State who got into the India Office for a short time when we had a master mind like Lord Reading as Viceroy of India. The Secretary of State entrenched as he is by the authority of the British Parliament, by the authority of the King, can wield and is always wielding extensive powers over the Government of India, and we wish to curtail those powers as much as possible.

Of recent transactions of the Government of India I shall give only a few instances. In the first place, I want the House to recall the Reserve Bank Bill. When the Honourable the Finance Member, to whose tenacity of purpose and fairmindedness I desire to pay a well-deserved tribute, fought with the odds against him, to secure for India a complete control over currency and credit in this country, the present Secretary of State for India held his hand out and said, "No further". It was on this motion that my friend Mr. Chaman Lall brought a vote of censure and it was carried. But the Secretary of State still pursued his normal course. Then our Finance Minister made up his mind to carry the battle further and he did not wish to give up his self-appointed task. He proceeded to England, full of optimism and full of hope, and when I heard for the first time that he had come out with an agreed Bill I really felt perturbed. Then, Sir, I had a talk with one of the leaders of this House who is absent at present

Mr. President: Order, order. The Honourable Member is not justified in referring to a talk which he had outside this House.

Mr. K. C. Roy: I bow to your decision, Sir. I knew at once that the Bill was under sentence of death. It was not even the Bill of the Secretary of State; it was the Bill of the City of London; it was a Bill which was backed less by Lord Birkenhead and more by Mr. Goodenough. What is the result to-day? India is without any control over her currency or credit policy. The control of policy remains with the Secretary of State, and for this I hold the India Office entirely responsible.

Then, Sir, I come to the next point. The next point is about the Statutory Commission which has been discussed on the floor of this House this morning. I yield to none in my respect for the Commission, and I adhere to every word I said on the previous occasion. But my complaint is that the Secretary of State having appointed a Royal Parliamentary Commission should have also made ample provision to meet the cost of this

[Mr. K. C. Roy.]

Commission in India. I know, Sir, that the British Government have already made a generous provision of £20,000, but they should have gone a little further than that. The Honourable Mr. Crerar this morning asked us to vote for the Grant. I am very sorry I could not vote for it. My reasons are

Mr. President: The Honourable Member is not in order in explaining his reasons for not voting on the previous motion.

Mr. K. C. Roy: It is not that, Sir. This Demand for the Secretary of State contains a votable item of Rs. 5,000. The Honourable Mr. Crerar is fully aware that the British Government paid for the Milner Commission to Egypt. The Honourable Mr. Crerar knows that they paid for the delegation which went to Australia to inaugurate the Federal Parliament. The Honourable Mr. Crerar is aware that in 1923 the British Government entirely paid for the Commission that proceeded to Kenya; and if the Secretary of State had shown a little foresight, a little generosity and a little far-sightedness, the Government of India would not be in the position in which they found themselves this morning. This is my second point.

I now come to a number of complaints concerning our defence problems. We all know that the Government of India had the Skeen Committee. The result is known. I will not go back to that. I should like only to point out that in military matters the Secretary of State for the time being is supreme master and the Government of India counts for nothing. At his elbow is a distinguished military officer General Hudson, who is a Member of the Council of India. He has another distinguished officer, Field Marshal Sir Claude Jacob, whose name is well known to Members of this House. I do not understand the position of these two military officers. Do they represent the views of the Government of India, or do they represent the views of the Secretary of State, or do they represent their own views on military matters? These are the riddles to which an answer is needed. No wonder, therefore, Sir, that whenever military problems go from India to London the action taken is retrograde and not progressive. I hold the Secretary of State responsible for this position. Now look at the Bill which this House refused the other day, the Navy Bill. The Navy Bill had a very laudable object in view. If the Secretary of State had been a little more sagacious and far-sighted, and if he had given over the control of that 60 lakhs of rupees into the hands of this House, that privilege could never have been abused. But he sent a mandatory Bill to be passed by this House. This House in the domain of legislation is almost autonomous and it resents a measure of that nature. Now, Sir, I come to the Territorial and Auxiliary Forces Bills. The Committee's recommendations have been whittled down and we have the Select Committee's Report before us. Even there, Sir, there is a discrimination in favour of European enemy aliens. Sir, I blame the Secretary of State for this too.

Now, Sir, I come to the question of Indians overseas. It will be in the recollection of this House that on the first day of the Simla Session a motion was made asking the Secretary of State to use his good offices to put Indians on what is known as the Commission which recently went out to East Africa to deal with the question of the federation of the East African States. And what is the result? Not a single Indian has been put on it.

But our views have found support in an unexpected quarter. The two Governors of Uganda and Tanganyika have entered a firm protest against the projected policy of His Majesty's Government.

Then again, as regards our foreign policy, to which my Honourable friend Mr. Graham alluded this morning, the Secretary of State is completely beyond our control. The key note of our frontier policy is to be found in our North West Frontier Province. I believe for political reasons the reforms in the North West Frontier Province have been delayed. I am one of those who agree with the majority recommendations of the Bray Committee, and I hold the Secretary of State responsible for not giving reforms to the North West Frontier Province for which my friend Sir Abdul Qaiyum has been clamouring for years.

Now, Sir, what is the position of the Secretary of State and how does he function at Whitehall? Sir, he has a Council which nobody wants. As one of the witnesses before the Crewe Committee I was one of its warmest advocates, but events have convinced me that the Crewe Committee were right and I was wrong. Then, Sir, he has an efficient and highly trained Secretariat known as the India Office in which there are no Indians, and you find that there are very few European members of the Indian Civil Service. So the machinery which he uses for guiding the government of India in this country is entirely alien in character and thought. Even the modest proposals made from time to time for an exchange of officers between the Secretary of State and the Government of India have been met with a negative. I hold the Secretary of State responsible for the absolutely non-Indian views which we find given expression to in official documents.

Now, Sir, I come to the last point, the operative point. We know that the Royal Commission on Reforms is in this country. And it is time that a movement should be set on foot to appoint a Committee of very competent men to explore all possible avenues for increasing the power of the Governor General in Council and the power of this House at the cost of the Secretary of State and the British Parliament. I yield to none in my respect for Lord Birkenhead, but I believe he is more a God of destruction rather than of construction.

I commend the proposition to the House.

The India Office being a reactionary body not wanted by India.

Mr. M. K. Acharya: Sir, I rise to support the motion so ably moved . . .

Mr. President: I take it that the Honourable Member does not move his own motion?

Mr. M. K. Acharya: No, Sir, I am commanded by my Party not to move my own but to support the motion of Mr. Roy.

Mr. President: If the Honourable Member moves his motion the Chair will permit him.

Mr. M. K. Acharya: I thank you, Sir. I then move:

"That the Demand under the head 'Expenditure in England under the control of the Secretary of State for India,' be reduced to Re. 1."

As I have very briefly stated in the motion itself . . .

Mr. N. M. Joshi: May I ask if Mr. K. C. Roy's motion is before the House or Mr. Acharya's?

Mr. President: Both motions are before the House.

Mr. K. Ahmed: But the cuts are alternative ones. I submit only one should be before the House at a time.

Mr. President: Order, order.

Mr. M. K. Acharya: Sir, as I was just saying, I propose this cut—a very large cut of course it is—on the ground that the Secretary of State or the India Council, as it is called, is a very old and reactionary body that we really do not want. This latter statement of mine I shall support simply by reference to a Resolution of this House. We said that we did not want the Secretary of State's Council on the 8th September 1925, in the historic Resolution of this House which demanded a round table conference. We then laid this as one of the chief points which ought to go into the revised constitution which we then had under consideration. Clause (c) of that Resolution reads:

"The Council of the Secretary of State for India shall be abolished and the position and functions of the Secretary of State for India shall be assimilated to those of the Secretary of State for the self-governing Dominions and so on."

My contention therefore, Sir, is that this House on the 8th September 1925, after very careful deliberation, passed this Resolution by an overwhelming majority—and therefore the sense of this House as then unambiguously expressed is that the Council of the Secretary of State shall go. Therefore, Sir, I contend I am right in stating that we do not want the Council of the Secretary of State. And the reason why we do not want it is simply that we have felt—and I am sure if all the confidential papers that have passed between India and Whitehall should ever see the light of day, the point will be clear, the principle almost will be clear as Mr. Roy enunciated it—that in all conflicts that have arisen between England and India, between the Government of India here and His Majesty's Government there, on all such occasions, and on all points Whitehall has won, and Delhi or Simla or Calcutta whichever it was has always lost. And that, Sir, is what most irritates Indian opinion, that on every point, on every great question or problem on which Indian opinion is keen, we have lost or have been forced to yield to the dictates of Whitehall. For it is not Indian opinion that is represented by the Secretary of State but English opinion. Sir, historically speaking, this Council of the Secretary of State is simply the heir and successor of the old East India Company's Board of Control and Court of Directors . . .

Mr. K. Ahmed: What about the three Indians who are on the India Council?

Mr. M. K. Acharya: They are fossils taken there to add to give some kind of colouring to the whole show, but I will come presently to that. Sir, this India Council was created by the Act of 1858 as everybody knows, and here is what is said in a very respectable book, an authority almost on the subject; I read from Ilbert:

"The Act declared that India is to be governed directly by and in the name of the Crown through the Secretary of State to whom are to be transferred the powers formerly exercised by the Court of Directors or by the Board of Control."

"By the Court of Directors or by the Board of Control"—a very significant phrase it was. The scheme simply was to perpetuate what may be

called the exploitation, the commercial and economic and political exploitation which was carried on in the days of the old John Company; the old exploitation thenceforward to be carried on in the name of the Secretary of State in Council. That is the whole point, Sir, all the old, old order of things was to be continued under a new name and procedure. The Secretary of State in Council was to be just the John Company with its Board of Directors and Board of Control and all that. And what has been the policy? The policy has been the same, namely, to take as much away from India and give as much to England as possible; to stand between the Indian people and the ultimate realisation of their legitimate hopes and aspirations. That has been the marked feature and policy of the Secretary of State's Council. I do not wish to refer you to the Old Testament to the disservices of the India Council in the earlier decades: my Honourable friend, Lala Lajpat Rai or Pandit Madan Mohan Malaviya could, if they were so minded, speak for hours recounting all the many occasions on which the India Council stood between the Indian people and their aspirations. I shall only take the liberty of referring to the latest New Testament days. I shall just take a few instances from recent happenings. My friend Mr. Roy has already referred to the glorious part played by the India Council in a matter in which there was nothing very politically involved. There was the economic and financial question of a State Bank. Our good colleague, Sir Basil Blackett, to whose integrity, to whose capacity and to whose good-will so far as I know many of us can bear testimony, was it seemed amenable to our wishes; or we thought so. But suddenly flashed across the wires a cable saying, "No, thus far thou shalt go and no further". And indeed on such occasions it does not matter who it is; it may be the Governor General or any Member of Government; whoever he is, before the great Lord of Whitehall, whoever may be the friend of India he is powerless. This is why I call Whitehall, Sir, a reactionary body. I would like to know if there ever was an occasion—perhaps there might have been, for there are exceptions to every general rule; and there might have been an occasion when perhaps Lord Morley was at the India Office;—but was there any other occasion when any initiative was taken in Whitehall to advance India towards responsible government? But after all, a single swallow does not make a summer; and the entire political transactions between the Government of India and the Government of England, if they should ever see the light of day, would I am sure bear on every page of the record this impression that Whitehall had always demanded and India had always to yield unconditional submission. I have no doubt, Sir, that even in some of those recent matters that have been engaging the attention of this House and of the country, such as with regard to the question of the larger employment of Indians in military services, the question of an Indian Sandhurst, and so on, India has looked at it from one standpoint, and Whitehall from quite another standpoint. The gods in effect say, "You have no rights; we will grant you some concessions: five places here, ten places there, three more vacancies here and one more committee or member there"! That is the attitude, Sir, which I conceive to be the British; which I might reduce to a formula thus—'While the Britisher is for granting concessions to the Indian, the Indian is for his rights'. The Indian wants his rights in the Army, his rights in the Legislatures, his rights in the expenditure of his money, his own

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legitimate rights as citizen of what is called a free country. He wants his own full citizen rights; but Whitehall says: "No; only these few concessions we shall make."

Now, Sir, I should like to put this small question to the Honourable Members opposite. Can they say that the India Office really takes any trouble to represent the views of the people of India? I shall give only one instance. Only the other day in November, when this question of the Statutory Commission was being discussed in Parliament, Earl Winterton said that five times the Indian Legislative Assembly wanted the date of the Commission to be accelerated. He was asked to produce the full terms of the Resolutions of this House saying that the date of the Statutory Commission should be accelerated. He was asked this several times; and what was the reply? He referred to the debate on Constitutional Reform that took place in this House in 1924. I thought in 1924, when you were here along with us, Sir, that we demanded a Round Table Conference; but it was represented there by the Under Secretary of State for India that this House in 1924 asked that the Statutory Commission should be appointed immediately. Earl Winterton's statement was challenged; he was asked to show whether really in 1924 this House asked that the Statutory Commission should be appointed immediately. When he was asked to produce the text of the Resolutions, the Under Secretary of State would not: that is the work of the India Office there. Lest it should be thought I am drawing on my imagination I shall quote from the speech of Miss Wilkinson, a Labour Member of the House of Commons—I wish there were a Miss Wilkinson here to support my friend, Mr. Joshi, on behalf of Labour; she said:

"It is, I think precisely 20 minutes since the Noble Lord was asked to bring forward proof of his statement that the Indian Legislature had five times passed resolutions asking for this Commission to be set up. We have waited for the Noble Lord to lay before the House those proofs, which he has now had ample time to obtain. I presume the Noble Lord would hardly have made that statement if the proofs had not been obtainable, unless he imagines that we on this side are so cowed by his general attitude of superiority to Labour men and black men and other inconsiderable trifles as to take his word without any further proof at all. May I say to the Noble Lord, perfectly flatly, that unless he can produce those five resolutions we do not believe him?"

This, Sir, is the work of the India Office: they cannot supply to the Under Secretary of State, who was speaking in the House of Commons, the Resolutions on which he was supposed to be relying, for showing that we wanted the Statutory Commission. That is only one instance. I do not know whether the Honourable Home Member or the Finance Member finds any difficulty here, if either wanted particulars of any Resolution passed by the two Houses, in getting them from his office. I am sure he could get them in five minutes. But in that great place, the Under Secretary of State, for India within twenty minutes even could not get copies of the Resolutions on which he was supposed to rely. Another charge shall I mention? Another charge was made in the course of the debate about the Publicity Department attached to the India Office. Like the Publicity Department attached to the Government of India. It was the same Member of Parliament that made this deliberate attack on Government, which was not repelled, that the Publicity Department there took great pains to circulate that notorious book of Miss Mayo's to the Members of Parliament. That statement was made on

the floor of the House of Commons and that statement I say was not repelled.

The Honourable Mr. J. Crerar: It has been repelled.

Mr. M. K. Acharya: Has it? Does the Honourable Member want to know what she said? She said that the author received great encouragement in the writing of that book and in publishing of the book. She also said:

"I merely want to suggest, on the question of time, that this book has been written and that it is generally believed that the writer, an American journalist, received a great deal of official encouragement in the writing of the book. I propose to raise that matter more fully if I have the opportunity. Merely on the question of time, the Government has chosen its opportunity well from its own point of view, and those who are concerned with the publicity department both of the government of this country and the Government of India have laid their plans well in order to create the atmosphere that they want."

If this had been an unfounded statement, I am sure objections would have been taken to it on the floor of the House of Commons. As it was there was that deliberate statement made and it was allowed to go uncontradicted.

The Honourable Mr. J. Crerar: That statement has frequently been denied with the authority of the Secretary of State on the floor of this House.

Mr. M. K. Acharya: Sir, if that denial is to be believed, I believe it must be backed up by other proofs than mere denial. However, all that I am concerned with is this. I know it will be denied here; but the fact is there, that the statement has not been challenged in the place where that statement was made. That is enough for my purpose. Whether it is true or untrue, I am not here to say and do not say one thing or the other. The charge has been made in Parliament and it has not been denied there; but straightaway the Home Member here is on his legs and denies that. Why didn't the Under Secretary of State deny the statement if it were false? It was his duty to have done so. He did not. The fact that he did not goes to show either he did not care to do so or he was not willing or, as I consider, he was not able to disprove it. Now pass on; here are one or two items about which we should like to have some detailed statements. How much of this money that is going to be granted to the Secretary of State for India and his Council, how much of this money is going to be spent in circulating perhaps another canard, like the canard to which Earl Winterton gave expression the other day, namely, about the Resolutions passed in this House in 1925 and 1924 and in previous years? I do not know how much of this money is going to be spent upon canards painting the Commission's successful tour from Cape Comorin to the Himalayas; how much of the money is going to be spent upon advertising how warmly the people received the Commission and how all the people were for it. What is the amount that is going to be spent out of this on the Publicity Department as it is called in England? Is there a Publicity Department attached to the India Office? How much money of the poor rate-payers of India, the poor Indian tax-payers is going to be spent upon keeping the people of England supplied with all kinds of imaginary accounts with information that is partly correct and partly

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incorrect? It all tends towards one purpose, namely, not of representing India properly, but on the whole of misrepresenting India.

These, Sir, are some of the very many detailed ideas that crop up in our minds when we say that the India Council is a reactionary body. There have been, I know, one or two Indians appointed. But for what purpose? Simply to give a colouring as it were to the name of the India Office! Time was when Indians used to demand employment in the higher services. Time was when they thought that a very great object of life was gained when an Indian was appointed to the Executive Council of the Viceroy, or when an Indian was appointed to the India Council. And to please the mentality of those Indians, these great concessions were made, and certain Indians, I suppose one or two, were allowed even on the India Council. This was considered a great matter of favour. But what was the kind of Indians that were taken there and what were the rights and privileges of those members of the India Council? I do not want to go into very many large quotations, but I could read out chapter and verse from recognised authorities to show that on many important matters the Secretary of State need not agree with his Council at all. It is only a consultative body. He consults the Council on those occasions and on those matters only on which the Secretary of State is pleased to consult it. The Council is not a body to whose opinions the Secretary of State is always bound to defer. Therefore this consultative body is purely to afford, I suppose, places for retired European officials, who after having spent long years in this country, when they go back, want still to take something more from the revenues of India. To just provide berths for these people, here is the India Council. It affords occupation for 10 people. In the old days the number used to be 15. 8 out of the 10 berths could be secured for these retired Anglo-Indian officials. It is reserved for them. I dare say that on some small matters the Council might be consulted; some small functions might be given to them. But I would like to know if on any occasion the India Council took a bold stand to tell the Secretary of State for India that this or that other thing is what India wants, and that the Secretary of State must give what India wants? If any such record could be produced, perhaps we might be tempted to modify our opinion. In the absence of such proofs, we must protest against this demand emphatically. Though our knowledge may not be official, some of us have heard from people who have been on the India Council—I had the privilege to know at least two Indians who have been on the India Council—and we have had first hand information from them that their powers and functions were very nominal. I believe that they were telling us the truth. There was no reason why they should tell us anything that was not true. Therefore the India Office is there simply in existence to dot the i's and cross the t's of what the Secretary of State wants. As I have already stated the whole principle seems to be that the Secretary of State and his Council should form as it were a barrier between India and the realisation of her legitimate aspirations. The Secretary of State in Council is there to protect English interests. British interests, exactly as in the old days the Board of Control or any other body of John Co. would have done. They are there to safeguard British interests and not Indian interests. I should like to know why

we should be asked to pay a single pie, a single farthing, to a body which is in existence to protect primarily British interests and not Indian interests.

Mr. President: But the Honourable Member wants to give one rupee.

Mr. M. K. Acharya: Yes, Sir, that is the fiat of the Standing Orders; I would otherwise be shut out.

I was just developing this point Sir, that the India Office therefore is a reactionary body. It is quite open to the other side to give an account of all the great benefits that we get from the India Office, how without the India Office, we all would be swept away by some flood. If they could show that India owes any advantage in her present position, politically, economically, financially, or in other directions, to the India Office, then after a careful examination of the facts and arguments that they may be able to advance, perhaps I may be prepared to reconsider my position. But as it is, I have not up to date heard from anybody anything to come to the conclusion that the India Office has really rendered any service whatsoever to India. On the other hand, whatever it does is by way of disservice to India, misrepresenting India, circulating false information and all kinds of damaging statements about India, and until we are told what exactly is the way in which this money is going to be spent—it is very difficult for me from this book to find out what exactly are the items on which it is to be spent,—we cannot vote as we are asked. For instance there is one item of Rs. 58,000 under “Miscellaneous”. How it is going to be spent, I do not know. Then our old friend the Simon Commission also appears under this head for Rs. 5,000. Therefore, unless we are definitely to know that at least a portion of the money that we are asked to vote under this head is going to be spent in the best interests of India, I do not think this House will be justified in granting, as I said before, anything more than perhaps a single rupee. My grounds for saying this are two. Firstly, we do not want this India Office at all, and, secondly, it has been doing a great deal of disservice. For these two reasons, and I thank you very much, Sir, for allowing me to move the motion, I do move that the Grant be reduced to one rupee.

The Honourable Sir Basil Blackett: Sir, I cannot help feeling that both Mr. K. C. Roy and Mr. M. K. Acharya are labouring under some misapprehension in regard to the money which they are asked to vote under this Grant. They are not asked to vote even a rupee for the salary of the Secretary of State; that is a charge on the British Exchequer. They are not asked to vote even a single rupee towards the salary of the Under Secretary of State. They are not asked to vote a single rupee towards the expenses of the India Office for the purpose of control of the Government of India. What they are asked in this Grant is to vote money for services carried out in the United Kingdom, the agency of which is carried on by the India Office. This has nothing whatever to do with the Secretary of State's Council and the Secretary of State's control over Indian services. In these circumstances, I find it rather difficult to understand why Mr. Roy should want to reduce the sum to Rs. 45,000 and Mr. Acharya to reduce the same to one rupee. Mr. Acharya's motion is to reduce the sum of Rs. 13,45,000 to one rupee. The effect of such a cut, supposing it were carried, would be merely that the Government of India would be without an agency for the time being for carrying on several essential services in the United Kingdom.

An Honourable Member: So far, so good.

The Honourable Sir Basil Blackett: They would not be the less under the control of the Secretary of State nor would the Secretary of State be in any want of funds to carry on that part of the functions of his office against which an attack has been made this afternoon.

I do not propose to follow the Honourable Members into the details of the cases in which they allege, frequently I think, without any knowledge of the facts, that there has been an undue interference by the Secretary of State with the Government of India. The attack of the Honourable Members, although I think it to be irrelevant to this vote, is against the constitutional position which will not be altered by the carrying of this vote, nor can the carrying of this motion even be taken as anything except as a protest against certain works being carried on in the United Kingdom by the agency of the India Office instead of by some other agency. That is all that the vote can possibly mean. If the amendment is carried against the Government, there will be no money for all sorts of miscellaneous civil charges detailed on page 729. I think possibly the only relevant item to any of the speeches that have so far been made is the figure of Rs. 5,000 for the expenses of the Indian Statutory Commission. In these circumstances, I do ask Honourable Members to pause before they pass this cut. After all, the various Demands are put before this Assembly in order that they may be discussed in a responsible manner. If a cut which reduces the Grant to an almost non-existent figure is carried, obviously the Assembly is merely showing that it chooses in this matter to have no responsibility in connection with the Grant. It is a point that has been made again and again, and it is a point to which I have always attached importance. A good many Members of this House have attached importance to this point but the majority has veered, to use Mr. Roy's word. It has sometimes walked into the lobby with Mr. Srinivasa Iyengar and Pandit Motilal Nehru and then it has repented for having done so and has come back.

Mr. S. Srinivasa Iyengar: Never.

The Honourable Sir Basil Blackett: The Honourable Member disbelieves everything. He disbelieves even statements by some of his victims. That is the position, Sir. I ask the House to consider whether it really wants to take away from the Government of India a provision for the expenditure provided for in this Grant which is absolutely essential and cannot be spared.

Sir Purshotamdas Thakurdas: Sir, I rise to support the motion moved by my Honourable friend Mr. K. C. Roy. As I was listening to his speech, I felt that he had made out a strong case against the Secretary of State for the various acts of omission and commission mentioned and which this House should look upon with great disapproval. But I felt, Sir, that the point raised by the Honourable the Finance Member was the one that was overlooked by Mr. Roy. It is quite true that the pay of the Secretary of State and of the Under Secretary of State and a part of the staff of the India Office is on the British list, but the Honourable the Finance Member asks us to vote this money, or to vote against Mr. Roy, because the charges of which the 13 lakhs of rupees is made up are charges for agency work of the Government of India. Now, may I ask the Honourable the Finance Member to tell me why the Government of India must have two agencies

in London? There is the High Commissioner for India. This High Commissioner for India has the same status, or at least he should have the same status, as the High Commissioner in London for any other Dominion of the British Empire. The High Commissioner's office was started simultaneously with the Reforms, and why has the Government of India tolerated, and why has the Secretary of State insisted, upon retaining his own agency for some work yet? I wish the Honourable the Finance Member will, now that he has no right of reply himself, get some other Member on the Treasury Benches to tell us why the Government of India find it necessary still to have two agencies? It is very important that this House should know why the Government are anxious to retain these two agencies. The only *raison d'être* of the Secretary of State and his office is the work of supervision, superintendence and the responsibility that the Secretary of State carries to the Parliament for which the British Exchequer, in all sense of fairness, has made the necessary provision. I feel that in addition to the various reasons given by Mr. Roy this reason, namely, the insistence of the Secretary of State on retaining this work of agency, does require a very strong vote of censure from this House.

Mr. N. M. Joshi: Sir, from the list of motions for reduction which are on the agenda, you will find that I have given a notice of reduction suggesting the transference of the functions of the Secretary of State, at least some of his functions, to the High Commissioner. Sir, I think I should take advantage now of this discussion in order to make the suggestion I wanted to make. My work, as Sir Purshotamdas Thakurdas has pointed out, has been made very easy by the Honourable the Finance Member stating that most of the expenditure shown in this Grant is for agency work. If he had said the expenditure was required for supervision and control, then certainly he could have said that the Government of India Act must be changed before any more functions . . .

Mr. President: If the Honourable Member wishes to raise the point which he now discusses, he can do so after this motion is rejected by the House.

Mr. N. M. Joshi: I will do so, Sir.

Mr. President: The Honourable Member will be entitled to raise the question of policy of the transfer of some functions to the High Commissioner if this motion is defeated.

Mr. N. M. Joshi: Which motion is defeated?

Mr. President: Mr. Acharya's.

Mr. N. M. Joshi: Well it will not be defeated (Laughter). Mr. Roy's motion is for taking away Rs. 13 lakhs. I am going to vote so that no money will be left to the Secretary of State and all the functions will be transferred to the High Commissioner.

Mr. President: Which item does the Honourable Member refer to?

Mr. N. M. Joshi: I am speaking on the policy of the Secretary of State. I have two amendments, one about the Indianisation of the establishment and the other for the transfer of some functions to the High Commissioner. I want the functions of the Secretary of State to be transferred to the High Commissioner, so that no money will be given to the Secretary of State.

Mr. President: What about the money for other purposes?

Mr. N. M. Joshi: That is for supervision and control. That is a matter for the British Parliament.

Mr. President: Mr. Joshi.

Mr. N. M. Joshi: If we look into the details of this Grant it will be found that most of the money is required for the work of agency, which is done by the Secretary of State on behalf of the Government of India. I need not go into the details of all these items on which the money has been spent, taxes, forests, jails, etc., so that it is quite clear that the work which the Secretary of State is doing is really agency work. There are certain functions which the Secretary of State performs which ought to be transferred to the High Commissioner, such as the work in connection with the League of Nations, India has been made a member of the League of Nations, as an independent country, otherwise India could not be a member of the League of Nations, and if India had been an independent member of the League of Nations, it would be necessary that all the relations of the Government of India with the League of Nations should be maintained through its agent, the High Commissioner and not the Secretary of State. That function should be taken away from him and entrusted to the High Commissioner.

Then here are many items of expenditure such as on the Agricultural Commission and the Commission on Currency. I do not know why these Commissions also should not incur their expenditure through the High Commissioner instead of through the Secretary of State. Then there is an item of Secret Service expenditure. Here also if the Government of India want to run a secret service in Europe, they can do so through the High Commissioner, and not through the Secretary of State. As far as I am concerned that money should not be voted at all.

Sir, for all these reasons it is necessary that most of these functions, which the Secretary of State is now performing and which are admitted to be agency functions should now be transferred to the High Commissioner.

Then there is one more point about the policy of the Secretary of State. That policy relates to the appointments in the India Office. The Secretary of State is following, in my judgment, a very wrong policy in appointing Europeans in the India Office. I do not know, if the whole office is to be staffed by Europeans, why it should be called India Office at all, and as far as Indians are concerned it is very humiliating to us to visit an office called the India Office and not find any Indians there? I wish to tell you a small bit of my own experience when I was in America, so that the Members will realise what must be the feeling of the people who visit our India Office. When I went to Washington I was interested in studying the life and history of the Red Indians, therefore I asked a friend of mine where I could learn something about them? He asked me to go to the Indian Department of the United States Government. I secured some introductions and went to that office called the Indian Department, and on account of the introductions I was allowed to interview many people. I went from room to room, but I could not tell them I wanted to see a Red Indian, because

that would make it appear that I thought the Red Indians were open to exhibition. I went from room to room to see people, and when I came to the last room I asked, "Could I not see any Red Indians in this office. This is called the Indian Department but there are no Indians here." The reply was, "If you want to see any Red Indians we have got the cinema film here where you can see them." I felt some pity for the Red Indians, but my pity did not last long. I thought that there was a similar department in the city of London where people from other countries may experience the same experience I had in the Indian Department at Washington. If any man from Austria or Hungary goes to the India Office and wishes to see an Indian, it will not be easy for him if the three Indian members are absent to see any Indian in the India Office. I think it a great indignity to India that the whole staff of the India Office should consist of Europeans. I am quite sure that Indians are quite capable of doing the work which European Civil Servants are doing in that office. It may cost a little more to keep Indians there, but it is certainly worth our while to see that the whole of the India Office is staffed by Indians. I think the Secretary of State does not deserve the money which the Finance Member wants.

Mr. President: The question is:

"That the Demand under the head 'Expenditure in England—Secretary of State for India' be reduced to Re. 1."

The Assembly divided:

AYES—66

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sessa.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iswar Saran, Munshi
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Karkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad
 Kunzru, Pandit Hirdav Nath
 Lahiri Chaudhury, Mr. Dharendra
 Kanta,

Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Pandit Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijut Tarun Ram.
 Purshotamdas Thakurdas, Sir.
 Rahimtulla, Mr. Fazal Ibrahim.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. K. C.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand,
 Sinha, Mr. R. P.
 Sinha, Mr. Sidheswar.
 Tok Kyi. U.
 Yakub, Maulvi Muhammad,
 Yusuf Imam, Mr.,

NOES—53.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha
 Bajpai, Mr. G. S.
 Bhuto, Mr. W. W. Illahibakhsh.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterjee, Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Cramer, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Dalal, Sardar Sir Bomanji.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Irwin, Mr. C. J.

Jowahir Singh, Sardar Bahadur
 Sardar.
 Keane, Mr. M.
 Kikabhai Premchand, Mr.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Moore, Mr. Arthur.
 Muhammad Nawaz Khan, Lieut.-
 Sardar.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Sams, Mr. H. A.
 Shah Nawaz, Mian Mohammad.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Singh, Raja Raghunandan Prasad.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Nawab Sir.

The motion was adopted.

Mr. President: The question is—

“That a reduced sum not exceeding Re. 1 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Expenditure in England under the control of the Secretary of State for India’.”

The motion was adopted.

Mr. K. Ahmed: Sir, the constitution of this House is this, and the practice has been following hitherto, that when a cut of Re. 1 or a nominal sum of Rs. 10 or Rs. 100 is carried, that signified not the assent but the dissent of the House by way of protest to the proposed expenditure. Here, Sir, the figure of Re. 1 has been put for reduction in the Grant under this Demand simply for discussion and therefore I wish to ask you, Sir, whether it will be constitutional if you simply put to vote that Re. 1 be granted for this instead of placing the whole amount of Demand under this head?

DEMAND NO. 40—CENTRAL BOARD OF REVENUE.

The Honourable Sir Basil Blackett: Sir, I move:

“That a sum not exceeding Rs. 1,93,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Central Board of Revenue’.”

Lack of uniformity in the system and incidence of tax collection.

Mr. Arthur Moore (Bengal: European): Sir, I beg to move the cut in my name:

“That the Demand under the head ‘Central Board of Revenue’ be reduced by Rs. 10”

Now that the Secretary of State has been left with one rupee, I feel that my own cut may err upon the side of modesty. I might have tried to reduce the Demand for the Central Board of Revenue by Rs. 1,92,999. But instead of that I have only asked for a reduction of Rs. 10. Sir, like Lord Clive in the treasure house, I stand astonished at my own moderation. Yet I must say that though I have a great deal of sympathy—I am not sure that there may not be sympathy also from some on the Government Benches—in regard to the attack upon the Secretary of State and I was very much tempted to vote, the cut was a little staggering for a man of my modest imagination. But now that I have in this particular case put down a very moderate demand, I hope that it will appeal to all sections of the House and that we will succeed in showing our disapproval of certain things by docking the Central Board of Revenue of Rs. 10.

The other day I listened in this House to a most interesting discussion between Mr. Neogy and Sir Basil Blackett as to whether a certain tax was a good tax or a bad tax. Well, Sir, I have the honour to represent a constituency which is very largely composed of Scotchmen; and the views of those Scotch constituents of mine on taxation are perfectly simple. They define a tax as exactly the opposite of whisky. There is no bad whisky and there is no good tax. But, on the other hand, no one has ever solved the inscrutable problem of the existence of evil. We recognise the necessity of taxation and in this world of sorrow we are prepared to pay our taxes. But we do want to know exactly what these taxes are and to have some system of uniformity throughout all parts of the country. The particular examples which I wish to mention relate to a tax of which a certain amount has already been heard in this House, the income-tax. Now, Sir, I submit that it is one of the most serious reflections, not merely upon the Government here but upon the Government of Great Britain also that there now exist associations, companies of people making a considerable living, quite honestly and properly, by getting back for people the money of which Government has robbed them. These income-tax associations do not exist in order to enable rich men to evade the tax; they exist in order to try and get back for the poor man money which the Government has wrongfully and illegally taken from him, and which this poor man cannot get back without great expense. I am not here to plead the sad case of the millionaire. I am here to plead the case of poor and middle-class people who are harassed in this way. Now, in regard to this lack of uniformity in India, the first example that I would give is this, sometime ago the liquidator of the Alliance Bank announced that there would be a dividend for the creditors and that there would remain an irrecoverable balance of, I think, four annas. Naturally the assessee wrote off that irrecoverable balance. In one province no fuss was made about that; it was treated as a matter of commonsense. But in another province it was not so; they said "You cannot write off that balance; you must pay income-tax." The unfortunate creditors of the Alliance Bank had to appeal to the Commissioner. The Commissioner decided against them. He said they would have to go on waiting, and waiting, and waiting, till ultimately the whole affair was finally liquidated, and it could be seen whether possibly there might not be another pie to be paid out to the creditors. I admit that at long last the Central Board of Revenue intervened in that case; but in the meantime, Sir, all those creditors have had

[Mr. Arthur Moore.]

the trouble of being harassed, of having had to pay this money wrongfully to Government, and also of having had to appeal.

I will take another instance. In some provinces firms have actually been refused exemption for cash discounts that they make to their customers. We all know that a tailor puts on his bill that there is a discount for cash. It actually appears that some people do pay their tailor cash! And if we may take the tailor as an example of commercial houses, it is of course a well known thing for a house to forfeit large sums in cash discounts, which do not go to the earning of profits. They really are discounts; that is to say, the money has gone. But the income-tax official does not accept that; he says that he wants income-tax on the whole sum. Surely, Sir, it is an absolutely unnecessary harassment of business men to tax them on supposed profits which are never obtained at all.

There is another case; the case of bonuses paid to share holders out of profits already taxed. We find that in some provinces the income-tax people attempt to tax that over again in the hands of the recipient of these already taxed profits. There seems to be no uniformity and no system, and this is undoubtedly due to the fact that you have in the provinces a lack of people—especially upcountry—who are familiar with the system of commercial accounts and with ordinary business methods. I am sorry to say that they treat businesses as suspicious concerns from which they are supposed to extract all they can for the Exchequer without regard either to legality or to morality.

Now, the Honourable the Finance Member the other day asked us to treat the income-tax officer as a friend. Well, Sir, there is an old argument in this House—I seem to have heard of it before—as to who is to begin the co-operating. But I do think that the Government very largely misunderstand the attitude of the small man with regard to income-tax. It is not that he objects to pay income-tax. He objects to the continual harassment that he is subjected to, and to being forced to pay sums which are not legally due, sums which he finds it extremely difficult to recover, and which in fact he can only recover by a slow, laborious and costly process.

Take another instance; the case of the Agent of a foreign company, a case which has led the Government into very curious legislation or attempts at legislation. The income-tax people are very unwilling to accept the certified accounts of the foreign trader. They insist on attempting to levy income-tax in India proportionately on the profits made on the whole scale. They insist on assuming that if a firm is trading all over the world and is earning profits at a certain rate, its Indian branch is therefore also earning profits precisely at that proportionate rate. We all know that very frequently that is not the case at all. In India a firm may be having exceedingly small sales and very large overhead charges. It may be merely keeping its doors and windows open, and not putting up its shutters, because it wants to show its goods in the local market so as not to allow that market to be exploited by rivals. Actually we all know of cases where the Indian agency is working directly at a loss, but the income-tax officials insist on levying a tax as though there were a profit, because they wish to tax proportionately to the whole world-wide business of the firm. Sir, that is another iniquitous case.

There are certain things which I should like to submit that the Central Board might do to help to relieve the anxieties and worries of business men. One is that the Central Board might reprint the Income-tax Manual at least once a year, at present it is so full of gummed slips that no one can find his way about it. Another thing they might do is that they should try to strengthen their local administration, and employ men locally who have some familiarity with commercial accounts. I know that members of the Central Board of Revenue tour throughout the provinces and I think that is very helpful, but something more could surely be done to secure uniformity, and it might be possible that, either as a substitute for or in addition to touring, they could have a system of annual conferences at which these questions could be discussed and some system of uniformity secured.

But my main proposal is this, Sir,—that when a difficulty of this kind arises, instead of simply bringing in a little Bill to alter the income-tax law to suit themselves, and secure the interpretation of it in the way in which they want, always at the same time opening a very wide door for a whole set of fresh abuses to creep in, Government should more often take the case to the Privy Council and find out exactly what the proper interpretation of the law is. We know that conflicts arise here between one province and another, because of different decisions in the High Courts. Whenever that happens, Government come forward with one of those Bills, of which we have had so many during recent years, always framing their Bill in the way which suits them best. (*An Honourable Member*: “Why don’t you oppose them”?) We have opposed them all—and, as I say, opening a very wide door for a whole set of fresh difficulties. I suggest that the best way is not to draft new legislation on every occasion, but to take the original Bill to the Privy Council and to let us know what the rights of the citizens are in this matter.

The Honourable Sir Basil Blackett: Sir, the Honourable Member’s motion is for a cut of Rs. 10 in the grant for the Central Board of Revenue, and his purpose in moving the cut is to secure greater uniformity, I think, in income-tax administration. From the illustrations which he gave and from the facts of the case, one would have thought that the best thing we would have to do in such circumstances would be not to interfere with the Grant for the Central Board of Revenue, because the reason for the existence of the Board is to assist in securing greater uniformity in the administration of income-tax, customs and other forms of revenue, and one of the illustrations that he gave ended with the intervention of the Central Board of Revenue to secure uniformity.

The Honourable Member made an interesting speech. There are something between 3 and 4 lakhs of assesseees in the country, and it is not, I think, surprising that on occasions difficulties or complaints arise. Even an archangel would probably find trouble if he tried to collect income-tax in India. None the less we are fully alive to the importance of uniformity. The Central Board of Revenue are continually engaged in touring about the country with a view to try to increase uniformity. Whenever questions of want of uniformity come to the notice of the Central Board of Revenue, they are the first to act with a view to improving the situation.

Then the Honourable Member made one or two suggestions as regards methods of improvement, which we shall be happy to examine.

As regards the reprinting of the Manual every year or nearly every year, that will be done. The reason why it is not being done is that the

[Sir Basil Blackett.]

present Manual has lasted a little longer than others; a large number of copies were printed than were proved to be necessary and it is taking a little longer to work out the stock.

As regards the suggestion of an annual conference, it already takes place. The member of the Central Board of Revenue meets the Collectors of Income-tax annually in a conference with a view to talking over their difficulties and arriving at methods of improvement, the purpose being of course to secure uniformity in the administration of the law throughout the country.

One of the difficulties which the Honourable Member also mentioned was that varying decisions had been given in the past by different High Courts. His complaint, I think, was that instead of going to the Privy Council the Government were in the habit of coming to this Assembly asking that the law might be amended so as to secure uniformity. I think he must have forgotten that it is only under a very recent Act, one of those Acts which he was referring to, an Act which was only recently passed by this House, that power to appeal to the Privy Council on questions of income-tax has been obtained. Before that there was no possibility of securing uniformity between one province and another if you had a contrary decision by two different High Courts. Now that we have that power naturally the appeal to the Privy Council in cases of real importance will be a means of helping us out of the difficulty.

At bottom of course the solution must be the one that I spoke of when we were dealing with the income-tax Grant two or three days ago, namely, that there should be more touch between the members of the public and the income-tax authorities. Mr. Moore asks who is to begin the co-operation. I can assure him that everybody connected with the Income-tax Department will be most anxious to start that co-operation and to meet more than half way all those who are willing to co-operate with them. But human nature is human nature, and that being so, as long as it is thought that by not co-operating with the income-tax authorities it will be possible to escape income-tax, I am afraid that non-co-operation will tend to be a little more popular than it should. But to my mind there are clear evidences that year by year things are improving in this matter. Perhaps one indication that I may give of improvement is that the number of circulars on particular points that have had to be issued year by year by the Central Board of Revenue has shown distinct signs of being reduced. That shows that points are being cleared up and that there are less outstanding points of difficulty. But generally speaking, I feel sure that both the public and the income-tax authorities are beginning to understand each other and the difficulties of hostilities and the advantages of co-operation. I do not know whether there are any other points which the Honourable Member raised which I have not dealt with, but his speech will be examined in the Department with a view to securing all the suggestions—and we naturally welcome all constructive suggestions for improving existing methods—and examining them with a view to adoption if they are likely to be useful.

Mr. Arthur Moore: I beg leave to withdraw my motion.

Mr. President: Is it the pleasure of the House that leave be given to withdraw the motion.

(Several Honourable Members objected.)

Mr. President: The question is:

"That the Demand under the head 'Central Board of Revenue' be reduced by 10."

The Assembly divided:

AYES—51.

Abdoola Haroon, Haji.
Acharya, Mr. M. K.
Aiyangar, Mr. C. Duraiswamy.
Aney, Mr. M. S.
Ayyangar, Mr. M. S. Sessa.
Badi-uz-Zaman, Maulvi.
Belvi, Mr. D. V.
Bhargava, Pandit Thakur Das.
Chaman Lall, Diwan.
Chetty, Mr. R. K. Shanmukham.
Chunder, Mr. N. R. Chunder.
Das, Mr. B.
Das, Pandit N. I. Kantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Goswami, Mr. T. C.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Jogiah, Mr. Varahagiri Venkata.
Kartar Singh, Sardar.
Kekar, Mr. N. C.
Kidwai, Mr. Rafi Ahmad.
Lahiri Chaudhury, Mr. Dharendra Kanta.
Mehta, Mr. Jamnadas M.
Misra, Pandit Dwarka Prasad.

Mitra, Mr. Satyendra Chandra.
Moonje, Dr. B. S.
Moore, Mr. Arthur.
Mukhtar Singh, Mr.
Murtuza Sanab Bahadur, Maulvi Sayyid.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Pauya, Mr. Vinaya Sagar.
Pnookun, Sriput Tarun Ram.
Ranga Iyer, Mr. C. S.
Rao, Mr. G. Sarvotham.
Sarifaz Hussain Khan, Khan Bahadur.
Shafee, Maulvi Mohammad.
Shervani, Mr. T. A. K.
Siddiqi, Mr. Abdul Qadir.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Singh, Mr. Ram Narayan.
Sinha, Kumar Ganganand.
Sinha, Mr. R. P.
Sinha, Mr. Sidheswar.
Tok Kyi, U.
Yusuf Imam, Mr.

NOES—41.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qayyum, Nawab Sir Sahibzada.
Ahmad, Khan Bahadur Nasir-ud-din.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.
Ayangar, Mr. V. K. Aravamudha.
Bajpai, Mr. G. S.
Blackett, The Honourable Sir Basil.
Bray, Sir Denys.
Chatterjee, Revd. J. C.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Cosgrave, Mr. W. A.
Couper, Mr. T.
Courtenay, Mr. R. H.
Cramer, The Honourable Mr. J.
Dakshin, Mr. W. M. P. Ghulam Kadir Khan.
Gidnev, Lieut.-Colonel H. A. J.
Graham, Mr. L.
Irwin, Mr. C. J.

Joshi, Mr. N. M.
Jowahir Singh, Sardar Bahadur Sardar.
Kabul Singh Bahadur, Captain.
Keane, Mr. M.
Mitra, The Honourable Sir Bhupendra Nath.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rajni, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Row, Mr. K. Sanjiva.
Roy, Mr. K. C.
Sams, Mr. H. A.
Sarda, Rai Sahib Harbilas.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Taylor, Mr. E. Gawan.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was adopted.

Non-appointment of Burmans to the Superior grades of the Departments under the control of the Board.

U. Tok Kyi (Burma: Non-European): Sir, I move:

"That the Demand under the head 'Central Board of Revenue' be reduced by one rupee."

Sir, the object of this motion is to bring to the notice of the Government the fact of the non-appointment of Burmans to the superior grades of the

[U. Tok Kyi.]

Departments under the control of the Board. At present there are in Burma two Departments under the control of the Board, namely, the Customs Department and the Income-tax Department, and during the course of the year I think they are going to establish another Department, the Central Salt Department. Sir, in the Customs Department so far there is not a single Burman appointed to the superior grade. No Burman has ever held the post of a Collector of Customs or a Deputy Collector or Assistant Collector of Customs. And in the Income-tax Department there has been one Burman as an Assistant Commissioner of Income-tax stationed in Mandalay, but as I pointed out yesterday, this office has been abolished since; so there is not a single Burman now in the superior grade of the Income-tax Department; and I hope that when the Central Salt Department is established, the claims of Burmans will not be ignored in future. Sir, I hope it will not be seriously contended that there is not a suitable Burman to fill the posts in view of the fact that we have got Burman Judges of the High Court, Burman Executive Councillors and Burman Ministers.

With these few words, I commend my motion.

The Honourable Sir Basil Blackett: Sir, so far as the higher posts in the Customs Department are concerned, appointments are made after examination by the Public Service Commissioners, and I do not know that there is anything that I can say in regard to the presence or absence of Burmans with regard to those customs services. As regards the Income-tax Department, there is one Burman Assistant Commissioner out of 5, 20 income-tax officers out of 36, and 3 Assistant Income-tax officers out of 5. All appointments to the rank of Income-tax Officer are subject to the approval of the Local Government. I fancy that the position there may be said to be that so long as suitable Burmans are available, it is probable that they will prefer Burmans to non-Burmans. When one speaks of Burmans, one has to remember that quite a number of the Eurasian and Anglo-Indian officials of the Department were born and are domiciled in Burma. I do not know that I need take up the further time of the House, which is possibly not deeply interested in this kind of subject, as this is really one of the subjects that naturally come up on the Demands for Grants, but I do not think I have anything more that I can say beyond the fact that the general question of the employment of Burmans in the Departments under the control of the Government of India in Burma is one to which the Government of India as a whole do attach considerable importance, and they are always on the look out for seeing that proper opportunities may be given to Burmans to serve the Government of India there.

Mr. President: The question is:

"That the Demand under the head 'Central Board of Revenue' be reduced by one rupee."

The motion was negatived.

Mr. President: The question is:

"That a reduced sum not exceeding Rs. 1,92,990 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Central Board of Revenue'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 14th March, 1928.

LEGISLATIVE ASSEMBLY.

Wednesday, 14th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

NUMBER OF DAYS ALLOTTED FOR NON-OFFICIAL BILLS AND RESOLUTIONS IN THE LEGISLATIVE ASSEMBLY FROM 1921 TO THE DELHI SESSION OF 1928.

425. *Maulvi Muhammad Yakub: Will the Government be pleased to state the total number of days fixed for the meetings of the Legislative Assembly since 1921 to the Delhi Session of 1928, and how many of them were allotted for non-official Bills and Resolutions, respectively?

Mr. L. Graham: I lay on the table a statement giving the information for which the Honourable Member has asked.

Statement showing the total number of days fixed for the meetings of the Legislative Assembly from 1921 to Delhi Session, 1928.

Sessions.	Budget Discussion.	Other Official business. (b)	Non-official business.		Number of meetings.
			Resolutions.	Bills.	
Delhi Session, 1921 . . .	8	15	(a) 5	..	28
Simla " 1921 . . .	..	10	(a) 5	..	15
Delhi " 1922 . . .	8	18	13	5	44
Simla " 1922 . . .	..	10	3	2	15
Delhi " 1923 . . .	12	34	3	2	51
Simla " 1923 . . .	..	8	6	3	17
Delhi " 1924 . . .	9	17	9	3	38
Simla (May and June) Session, 1924.	..	7	1	..	8
Simla (September) Session, 1924.	..	9	3	2	14
Delhi Session, 1925 . . .	13	18	6	4	41
Simla " 1925 . . .	..	14	2	2	18
Delhi " 1926 . . .	13	16	7	3	39
Simla " 1926 . . .	..	10	2	..	12
Delhi " 1927 . . .	14	26	3	2	45
Simla " 1927 . . .	..	15	3	2	20
Delhi " 1928 . . .	14	†	3*	3	†

(a) During these sessions separate days were not allotted for non-official Resolutions and Bills.

(b) In addition to official business a certain number of non-official Resolutions and Bills were taken up on days reserved for official business.

* In addition to the days allotted by the Governor General, Government gave the 18th February for the conclusion of the debate on the Simon Commission.

† Columns 2 and 5 cannot be filled till the end of the Session.

REFUSAL OF THE ASSISTANT SUPERINTENDENT OF EDUCATION, DELHI, TO SIGN APPLICATIONS OF MUSLIM STUDENTS FOR ADMISSION TO THE HIGH SCHOOL EXAMINATION.

426. *Maulvi Muhammad Yakub: (a) Is it a fact that the Assistant Superintendent of Education, Delhi, who is also a resident of this place, and who countersigns students' applications for admission to the High School Examination, has refused to sign the applications of a large number of Muslim students although they were attested by Shamsul Oluma Maulvi Syad Ahmad, Imam of the Juma Masjid, a distinguished citizen of Delhi?

(b) If so, what steps do Government propose to take against this wanton action of the officer mentioned above?

Mr. G. S. Bajpai: (a) No.

(b) Does not arise.

DUTIES OF THE HEADMASTER, GOVERNMENT HIGH SCHOOL, DELHI.

427. *Maulvi Muhammad Yakub: (a) Is it a fact that the Headmaster, Government High School, Delhi, is also the Assistant Superintendent of Education, Delhi? How much time does he devote to the teaching work?

(b) Is it a fact that the Assistant Superintendent of Education, Delhi, has to perform a large number of duties as such? If so, do Government propose to appoint a separate wholtime officer to this post?

(c) How many duties does the said officer perform and of how many and which communal organisations is he also the office bearer?

Mr. G. S. Bajpai: (a) Yes. Normally a little over 7 hours a week.

(b) Yes. Government have no such proposal under consideration at present.

(c) He performs the duties of Headmaster of the Government High School and of Assistant Superintendent of Education, Delhi. Government have no information regarding the latter part of the Honourable Member's question.

Maulvi Muhammad Yakub: Are Government aware that the said gentleman is also Headmaster of the Clerical Advance-Classes, Headmaster of the Manual Training Classes, Member of the Secondary Board of Education, Vice-President, Text Books Committee, Delhi, Member of the Model School, Delhi, Member of the Jain High School, Delhi, Member of the Commercial High School, Delhi, Member of the Boy Scouts, Member of the Baby Week, Member of the Jain Sabha, and Superintendent of all the examinations held in the Government High School, Delhi?

Mr. G. S. Bajpai: That formidable list of additional duties which my Honourable friend has so earnestly and zealously read out doubtless gives an exalted view of the duties of the Headmaster, but as to what measure of time it takes up I am not aware. However, I shall have that point examined.

Mr. Sarabhai Nemchand Haji: Is there anything to show that this officer does not discharge his proper duties efficiently?

Mr. G. S. Bajpai: I would ask the Honourable Member to address that question to Maulvi Muhammad Yakub.

COMMUNAL ANALYSIS OF EACH GRADE OF EACH BRANCH OF THE GOVERNMENT SERVICE IN THE NORTH-WEST FRONTIER PROVINCE.

428. ***Mr. M. S. Aney:** (1) Will the Government be pleased to give in a tabular form the information relating to the numerical strength of the Muhammadans, Hindus, Christians and Sikhs employed as officers in the Superior, Provincial and inferior service cadres of the following departments in the North Western Frontier Provinces according to the latest civil list:

- (a) Political Department.
- (b) Provincial Civil Service.
- (c) Munsiffs.
- (d) Settlement Department.
- (e) Education (Indian and Provincial Educational Service separately).
- (f) Medical (Civil and Assistant Surgeons).
- (g) Police (Gazetted Officers, Inspectors and Sub-Inspectors with their grades separately).
- (h) Excise?

(2) Will the Government be pleased to give separately the number of Muhammadans, Hindus, Sikhs and Christians in the Frontier Constabulary as District Officers, Subadar Majors and Jamadars?

(3) Will the Government be pleased to give the numerical strength of the aforesaid four classes in each of the following Frontier Corps, namely, Kurram Militia, Tochi Scouts and South Waziristan Scouts?

(4) What is the number of Muhammadans, Hindus, Sikhs and Christians employed in the Public Works Department including the Irrigation Branch, as Engineers, permanent and temporary Assistant Engineers, Deputy Collectors and Zaildars (with their grades)?

(5) Will the Government be pleased to give the number of the same four classes separately in the same Province as Tehsildars and Naib-Tehsildars (with grades)?

Sir Denys Bray: The information required by the Honourable Member comprises apparently a detailed communal analysis of each grade of each branch of the Government service in the North-West Frontier Province. Its compilation would I fear involve an amount of labour which would scarcely be justified by the results.

The North-Western Province Civil List, however, a copy of which is in the Library, will assist the Honourable Member in his researches and he will find some of the ground covered in answers to the unstarred questions Nos. 354 and 356.

Nawab Sir Sahibzada Abdul Qaiyum: Will the Honourable Member collect figures for all the departments—from the Chief Commissioner's office to the lowest municipal offices, especially the Public Works and Military Works and accounts offices—and the number of each community represented in those offices, and also the number of each community in-

habiting the various agencies, which form part of this system, and whether it was not a fact that recruits for the lower ranks were not forthcoming from any other community except the Muslim?

Sir Denys Bray: I hope that this question for further statistics is directed not to me but to my friend, Mr. Aney.

APPOINTMENT OF MR. J. C. MAIR AS ASSISTANT ACCOUNTANT UNDER THE PORT COMMISSIONERS, CALCUTTA.

429. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if they have received a representation from the Indian Commissioners for the Port of Calcutta in connection with the recent appointment of Mr. J. C. Mair to the post of Assistant Accountant?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state the steps that they have taken or propose to take to see that the authorities concerned withhold their sanction to this appointment?

The Honourable Sir George Rainy: (a) Yes.

(b) The Government of India are at present considering the matter in consultation with the Bengal Government.

Mr. Sarabhai Nemchand Haji: In view of the fact that that particular office afforded a very good opportunity of putting into practice the deliberately accepted policy of the Government of India with regard to Indianisation of the services, will the Government of India be pleased to insist that the claims of Indians should be conceded, as desired by all the Indian Port Commissioners of Calcutta?

The Honourable Sir George Rainy: I regret that it is not possible for me to add to the answer I have already given.

INDIANIZATION OF THE HIGHER GRADES OF THE TECHNICAL AND NON-TECHNICAL SERVICES OF THE PORT COMMISSIONERS, CALCUTTA.

430. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if the Commissioners of the Calcutta Port Trust are in sympathy with the policy of Indianising the higher grades of their services as pointed out by His Excellency the Governor of Bengal on the 13th July 1927 in reply to the welcome address presented to him by the Indian Chamber of Commerce, Calcutta?

(b) If the answer to (a) be in the affirmative, will Government be pleased to state the steps which the Commissioners for the Port of Calcutta have taken or propose to take for Indianising the higher grades of their technical and non-technical services?

The Honourable Sir George Rainy: (a) The Port Commissioners, Calcutta, have informed the Government of India that they are in sympathy with the general policy that Indians should be employed in increasing numbers.

(b) The Government of India have no more recent information than was given by His Excellency the Governor of Bengal in his speech of the 13th July, 1927, to which the Honourable Member has referred, but they are making further enquiries.

Mr. Sarabhai Nemchand Haji: In order to Indianise Port Trust services, will the Government of India see to it that the local Port Trust authorities do not introduce specific examination qualifications which they know will bar equally efficient and qualified Indians from having their applications considered by the local authority. I mean, for example, such things as insistence upon chartered accountants' certificates.

The Honourable Sir George Rainy: The Honourable Member in his question imputes a certain course of action to the Port Commissioners. It is clearly impossible for the Government of India to admit, merely on his authority, that the facts are so.

Mr. Sarabhai Nemchand Haji: My authority is derived from the statement submitted to the Government . . .

Mr. President: Is that a question?

Mr. Sarabhai Nemchand Haji: Is it a fact, Sir, that this insistence on that particular kind of qualification has been adduced by the local authorities in order to prevent the chances of recruitment of Indian candidates with equally good qualifications but considered unsuitable on account of the want of these qualifications?

The Honourable Sir George Rainy: I am not aware that that is a fact.

Mr. Sarabhai Nemchand Haji: Will the Honourable Member kindly make enquiries?

The Honourable Sir George Rainy: If the Honourable Member will give me particulars of the case to which he refers, I am quite prepared to make enquiries.

Mr. Ghanshyam Das Birla: May I enquire if it has not been the policy in the past to insist on the qualification of a chartered accountantship in making appointments to this post?

The Honourable Sir George Rainy: I think the Honourable Member should give notice of that question.

Mr. B. Das: Will Government see their way to bring in the Port Trust and other similar Trusts under a system of examination by the Public Service Commission, so that the right method of Indianising may be adopted?

The Honourable Sir George Rainy: The Honourable Member should give notice of the question, Sir.

CONSTITUTION OF THE CENTRAL ADVISORY COMMITTEE FOR LIGHTHOUSES.

431. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to announce (a) the names of the members constituting the Central Advisory Committee for Indian Lighthouses, and (b) the interests represented by each member?

The Honourable Sir George Rainy: As the Indian Lighthouse Act, 1927, has not yet been brought into force, no Committee has yet been appointed under the Act. But the following provisional Committee has

been appointed, and it is intended that the same members should form the Statutory Committee when the Act is brought into force:—

1. The Commerce Secretary, Government of India. Chairman.
 2. Director, Royal Indian Marine (Captain E. J. Headlam, C.S.I., C.M.G., D.S.O., R.I.M.) Representing the Royal Indian Marine.
 3. Mr. Kaikobad Cowasji Dinshaw, of Messrs. Cowasji Dinshaw and Brothers, Bombay. Representing Shipping registered in India.
 4. Sir Arthur Froom, Kt., of Messrs. Mackinnon Mackenzie and Company, Bombay.
 5. Mr. P. H. Browne, C.B.E., of Messrs. Mackinnon Mackenzie and Company, Calcutta.
 6. Mr. R. C. M. Strouts, of Messrs. Gordon Woodroffe and Company, Madras.
 7. Mr. M. A. Master, General Manager, the Scindia Steam Navigation Company, Bombay.
 8. Mr. Jamshed N. R. Mehta, President, Buyers' and Shippers' Chamber, Karachi.
 9. Mr. C. Gopala-Menon, M.L.C., Honorary Secretary, Southern India Chamber of Commerce, Madras.
- Representing *British Commerce.*
- Representing *Indian Commerce.*

Mr. N. M. Joshi: May I ask whether there is any representative of Indian seamen, whose interests are closely concerned with the efficiency of the lighthouses?

The Honourable Sir George Rainy: I quite admit that the interests of Indian seamen are closely concerned with the efficiency of the lighthouses, but it does not seem to me to follow that they might be suitably charged with the administration of lighthouses.

Mr. Sarabhai Nemchand Haji: Is it a fact that Mr. Kaikobad Cowasjee Dinshaw, who is nominated to represent Indian shipping interests, controls ships which are running along the African coast?

The Honourable Sir George Rainy: I am prepared to take it from the Honourable Member that that is so.

Mr. N. M. Joshi: Will the Government kindly inform me whether in their view the interests of money are greater than the interests of life?

TRAINING OF INDIAN ART STUDENTS IN EUROPE.

432. ***Sir Hari Singh Gour:** (a) Have the Government approved a scheme for the training of Indian art students in Europe by instituting

four scholarships enabling them to receive their training as mural decorators under the guidance of Professor Rothenstein, Principal of the Royal College of Arts?

(b) If the answer to the last question be in the affirmative, will the Government be pleased to state whether it has been decided to send out four such students for a period of 18 months?

(c) Are the Government aware that the full course for advanced students in the Royal Academy of Arts in London extends to five years?

(d) If so, how do the Government think it possible for Indian students to complete that course within a period of only eighteen months?

(e) And if the students are not able to complete the course, what test of efficiency is intended to apply to them?

(f) Is it a fact that advanced students in Art who have completed 5 years of their training at the Royal Academy School after admission are then held eligible to obtain experience of mural decorations?

(g) If so, how do the Government expect Indian students to obtain this experience without completing the prescribed course?

The Honourable Sir Bhupendra Nath Mitra: (a) Government are proposing to send four young Indian artists to Europe for training under Professor Rothenstein, Principal of the Royal College of Arts, in connection with the decoration of India House, London.

(b) Yes: but the students have not yet been selected.

(c) and (f). The Government of India have no information on the subject. I may mention that the Royal Academy of Arts in London is quite distinct from the Royal College of Art, London.

(d), (e) and (g). It is the intention of the Government of India to select 3 or 4 young Indian artists who have already had considerable training and who will not therefore require the same amount of time and experience as novices. It is not their intention to give these artists a complete course of training in Europe.

Sir Hari Singh Gour: What is the test to which these Indian artists proceeding to England for study for 18 months will be subjected?

The Honourable Sir Bhupendra Nath Mitra: These young Indian artists will be selected here by a committee presided over by Sir John Marshall.

Sir Hari Singh Gour: That is not the question that I put. The question that I put was, when the Honourable Member sends these students to England for undergoing a course of study for 18 months, what test or examination will they be subjected to for the purpose of judging of their proficiency in the subject in which they will receive their training?

The Honourable Sir Bhupendra Nath Mitra: That will be left to Professor Rothenstein.

Sir Hari Singh Gour: Sir, has that not been the subject of any previous discussion or arrangement with the Professor?

The Honourable Sir Bhupendra Nath Mitra: Professor Rothenstein was consulted with regard to the whole scheme. As I have already said, these boys will be trained under his guidance. It will be for him thereafter to decide whether they have attained a certain standard of qualification which will render them fit for undertaking the work of decoration at the India House, London.

Sir Hari Singh Gour: Sir, the question I wish to put is this—in what subjects will they receive their training in England and what will be the test to which they will be subjected at the end of their training?

The Honourable Sir Bhupendra Nath Mitra: The subject obviously will be Indian art. As regards the test, I am not an expert, Sir, and I prefer to leave that matter to Professor Rothenstein who is an expert on the subject.

Sir Hari Singh Gour: Does the Honourable Member think that Indian art can be learnt by Indian students in England?

The Honourable Sir Bhupendra Nath Mitra: I have already said that these boys will not be novices in Indian art. They will have a preliminary training in India. They will get additional training in England under the guidance of Professor Rothenstein. I think if the Honourable Member will wait for the reply to his question next following he will be able to know a little more on the subject.

Sir Hari Singh Gour: May I enquire if the Indian students who are going to England for their preliminary training in Indian art cannot receive that training in this country?

The Honourable Sir Bhupendra Nath Mitra: They are not students, Sir. They are really Indian artists who have had some preliminary training in India.

Mr. M. R. Jayakar: Will the Honourable Member state whether Professor Rothenstein was ever in India, and whether he has any, and what, experience of Indian Art?

The Honourable Sir Bhupendra Nath Mitra: The Professor may not have been in India, but it does not necessarily follow that he has had no experience of Indian Art.

Mr. Arthur Moore: May I correct that statement; he has been in India.

Sir Hari Singh Gour: As a globe-trotter perhaps.

Mr. M. R. Jayakar: I want to know whether he was ever in India and whether he has had any and what experience of Indian art.

Mr. Arthur Moore: He has experience.

The Honourable Sir Bhupendra Nath Mitra: I should like to have notice of that question.

TRAINING OF INDIAN ART STUDENTS IN ENGLAND.

433. ***Sir Hari Singh Gour:** (a) Is it the intention of the Government to encourage Indian art by instituting four scholarships for the training of Indian art students in England?

(b) What facilities exist in England for the training of students in Indian art?

(c) What encouragement have the Government given or propose to give to Indian artists who have already acquired proficiency in Indian art?

The Honourable Sir Bhupendra Nath Mitra: (a) The answer is in the affirmative.

(b) The Royal College of Art specialises in decorative painting and has a very large number of studios for experiment in all its stages. The India Museum is in close proximity to the Royal College of Art and affords many facilities for the study of Indian art. The Victoria and Albert Museum also has a very large section devoted to Indian art.

(c) The attention of the Honourable Member is invited to the press communiqué of the 5th September, 1927, which gives the particulars of the scheme for the encouragement of Indian artists by providing facilities for the decoration of Government buildings in New Delhi

Sir Hari Singh Gour: Sir, the question I wish to put is this—what training will the Indian artists receive in England which they have not received and are not likely to receive in their own country?

Mr. President: That question does not arise out of this answer.

Sir Hari Singh Gour: I understand the Honourable Member to say that that question will be in order under the next question.

Mr. President: Order, order.

Mr. W. S. Lamb: Sir, I should like to know whether the Government are aware that there is now in Europe a Burmese painter called Ba Nyan whose works, and particularly those of a purely decorative character, have compelled the admiration of the highest authorities, and whether the Government, when they are considering the more ambitious schemes of mural painting, will undertake to consider the claims of this painter to being given an honourable place?

Mr. President: That question too does not arise.

Mr. Sarabhai Nemchand Haji: In recruiting their scholars under the scheme which they have instituted, will Government take steps to see to it that the claims of Indian artists who have been trained in other than Government Art Schools are properly considered?

The Honourable Sir Bhupendra Nath Mitra: I will look into that point, Sir.

CONSTITUTION, FUNCTIONS, POWERS, ETC., OF THE GOVERNING BODY OF THE INDIAN MERCANTILE MARINE TRAINING SHIP "DUFFERIN".

434. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state if it is a fact that they have constituted a Governing Body for the Indian Mercantile Marine Training Ship "Dufferin"?

(b) If so, will Government please state:

(i) The constitution, functions and powers of the Governing Body, and

(ii) The names of its members and the interests they represent?

(c) Do Government intend to appoint any additional members on that Body, and, if so, how many and when?

(d) Is the Governing Body an executive body or merely an advisory committee?

(e) If the Governing Body is an advisory committee, is it the intention of the Government to make the necessary changes in the nomenclature?

The Honourable Sir George Rainy: (a) Yes.

(b) (i) and (ii). The question of defining the functions and powers of the Governing Body is at present under consideration and Government hope to issue orders on the subject in the near future. The names of the members of the Governing Body and the interests they represent are as follows:

PRESIDENT.

The Director. Royal Indian Marine.

MEMBERS.

The Director of Public Instruction, Bombay.

Sir Chimanlal Setalvad. K.C.I.E., B.A., LL.D., Vice-Chancellor, Bombay University.

Mr. D. J. MacGillivray Representing British Shipping.

Mr. Narottam Morarji	}	Representing Indian Shipping.
Sir Hormusjee Cowasjee Dinshaw, Kt., M. V. O., O. B. E.		

Sir Purshotamdas Thakurdas, Kt., C.I.E., M.B.E., M.L.A. Representing the Bombay Port Trust.

Mr. M. A. Master Representing the Indian Merchants' Chamber, Bombay.

Mr. Muhammad Kadir Shaikh, M.B.E., B.A., LL. B. Nominated by the Government of Bombay to represent the interests of the Muhammadan seafaring community.

Maulvi Abul Kasem, M.L.C. Representing the Bengal Presidency.

Mr. J. L. P. Roche Victoria Representing the Madras Presidency.

(c) It is proposed to appoint one more representative from the Madras Presidency and the Government of India are in communication with the Madras Government in regard to that appointment.

(d) Under the rules which it is proposed to issue certain powers for the management of the Training Ship are being delegated to the Governing Body which thus is not merely an advisory committee.

(e) Does not arise.

Mr. N. M. Joshi: May I ask whether Government will consider the desirability of appointing a representative of the Indian Seamen's Union, Bombay to this body?

The Honourable Sir George Rainy: I am afraid I cannot undertake to consider that suggestion.

PLACING OF CADETS FROM THE "DUFFERIN" ON THE SAME FOOTING OF CADETS FROM THE "CONWAY" AND "WORCESTER" IN RESPECT OF RECRUITMENT TO THE BENGAL PILOT SERVICE.

435. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state, if the cadets of the Indian Mercantile Marine Training Ship "Dufferin" will be entitled to enter the Bengal Pilot Service in the same manner and with the same experience as the cadets of the British Training Ships "Conway" and "Worcester"?

(b) If the answer to (a) is in the negative, will Government please state what are the reasons for this discrimination against Indian cadets?

The Honourable Sir George Rainy: (a) and (b). I would refer the Honourable Member to the answer given on the 7th March to Khan Bahadur Sarfaraz Hussain Khan's unstarred question No. 326 on this subject.

PLACING OF CADETS FROM THE "DUFFERIN" ON THE SAME FOOTING AS CADETS FROM THE "CONWAY" AND "WORCESTER" IN RESPECT OF RECRUITMENT TO THE ROYAL INDIAN MARINE.

436. ***Mr. Sarabhai Nemchand Haji:** (a) Will Government be pleased to state whether the cadets of the Indian Mercantile Marine Training Ship "Dufferin" will be taken into the Royal Indian Marine in the same manner and on terms exactly analogous to those adopted in the case of the cadets of the British Training Ships "Conway" and "Worcester"?

(b) If not, what are the reasons for this discrimination against Indian cadets?

Mr. G. M. Young: (a) The question of future recruitment for the Royal Indian Marine is under consideration.

(b) There is not, and has never been, any intention of discriminating in the manner suggested by the Honourable Member.

UNSTARRED QUESTIONS AND ANSWERS.

WATERING OF THE ROAD FROM THE STATION TO THE STEAMER GHAT AT GOALUNDO.

393. **Mr. Satyendra Chandra Mitra:** (a) Is it a fact that passengers from the railway train to the steamer at Goalundo railway station (Eastern Bengal Railway) have to pass over sand which becomes extremely heated in the day time?

(b) Is it a fact that passing along the road is extremely trying and painful for passengers walking without shoes? If so, have Government taken any steps to remove the inconvenience?

(c) Is it a fact that the way is used by Indian ladies of all ranks, who generally walk bare-footed?

(d) Is it a fact that several complaints were made by passengers for removal of this grievance by making arrangements for watering the way at least during the hot summer months?

(e) Is there any scheme for watering the way for the summer months?

Mr. A. A. L. Parsons: Government are aware that passengers at Goalundo have to walk from the train to the steamer over a distance which varies according to the position of the ghat at different times of the year. They have received no representations that passengers are inconvenienced in the way suggested in the Honourable Member's question, and are extremely doubtful whether the remedy he recommends would be practicable. They will, however, send a copy of his question to the Agent.

INADEQUACY OF THE WAITING ROOM ACCOMMODATION AT GOALUNDO.

394. **Mr. Satyendra Chandra Mitra:** (a) Is it a fact that the waiting room at Goalundo is a small hut not sufficient to accommodate more than half a dozen persons and that there is no separate waiting room for first and second class passengers? If so, will Government state reasons for not having separate waiting rooms?

(b) Is it a fact that there is no separate waiting room for ladies at the station? If so, will Government state reasons for not having separate waiting rooms?

(c) Is it a fact that there are trains which arrive late at night and the passengers have to wait till next morning to catch the steamers? If so, will Government state reasons for not making adequate arrangements for passengers for their waiting in the interval at Goalundo?

M. A. A. L. Parsons: (a) and (b). Government have no information.

(c) There is one such train. Government have impressed on Railways the importance of providing passenger conveniences where necessary but must leave it to the Agents to decide the comparative urgency of demands of this nature.

CONSTRUCTION OF A RAILWAY LINE BETWEEN MUZAFFARPUR AND SEETA-MARHEE IN BIHAR AND ORISSA.

395. **Khan Bahadur Sarfaraz Hussain Khan:** How do matters stand with regard to the construction of the proposed railway line between Muzaffarpur and Seetamarhee (Bihar and Orissa)?

Mr. A. A. L. Parsons: The result of the survey has not yet been received from the Agent, Bengal and North Western Railway.

STOPPAGE OF THE UP AND DOWN PUNJAB MAIL TRAINS AT PATNA CITY.

396. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Is it a fact that some time ago both the up and down Punjab mail trains used to stop at the Patna City station?

(b) Is it a fact that the stoppage of both the up and down Punjab mail trains was discontinued at the Patna City station one after the other?

(c) Is it a fact that both the up and down Punjab mail trains stop at Dinapore station at present?

(d) Is it a fact that both the Patna City and Dinapore stations are at equal distances from Patna Junction station?

(e) Is it a fact that Patna City is a great commercial place and contains a much larger population than Dinapore which is a cantonment?

Mr. A. A. L. Parsons: (a) and (b). Government have no information.

(c) Yes.

(d) Yes.

(e) The population of Patna City is larger than that of Dinapore.

INCONVENIENCES SUFFERED ON STEAMERS BY PILGRIMS TO THE HEDJAZ.

397. **Khan Bahadur Sarfaraz Hussain Khan:** (a) Is it a fact that pilgrims to the Hedjaz are being carried in steamships of old types?

(b) Is it a fact that only a gallon of drinking water per head is given, and that about 1,500 pilgrims are made to get water from a place within a limited time, and consequently a number of weak and old persons are left without water owing to the rush?

(c) Is it a fact that there are no separate arrangements for latrines for ladies and that the number of existing latrines and baths is quite inadequate and that there are no arrangements for lights in the latrines?

(d) Is it a fact that in the lower portion of the ship meant for third class passengers there are not suitable arrangements for fresh air and that when the poor pilgrims try to come up on the deck to take fresh air, they are sent back and very unpolitely treated by the staff of the ship?

(e) Is it a fact that arrangements for refreshments are not satisfactory and that a sufficient quantity of aerated water and ice is not kept in the ship and that whatever little there is, is only used by the staff of the ship?

(f) Is it a fact that the arrangement for a kitchen is very poor and entirely in the hands of non-Muslims?

(g) Is it a fact that at Karachi and Eden Docks, pilgrims are not allowed to come down from the ship and make purchases like other passengers of ships?

Mr. G. S. Bajpai: (a) Government have no information. No steamer can, however, engage in the Haj traffic unless it has been certified by a Government inspector to be in all respects suitable for the carriage of pilgrims.

(b) Under rule 32 of the rules under the Pilgrim Ships Act, each pilgrim is entitled to receive one and a half gallons of drinking water per day. A copy of the rules will be found in the Library. As regards the remainder of this part of the question, Government have no information.

They understand, however, that in order to avoid crowding of the kind to which the Honourable Member refers pilgrims are as a rule required to line up at fixed hours so that each may draw his water in an orderly manner.

(c) The attention of the Honourable member is invited to rules 61-63 of the rules under the Pilgrim Ships Act.

(d) The attention of the Honourable Member is invited to rule 19 of the rules under the Pilgrim Ships Act.

(e) It is not quite clear what the Honourable Member means by arrangements for refreshments. If he is referring to the supply of aerated water and ice I would state that enquiries are being made as to whether these are available on pilgrim ships.

(f) The attention of the Honourable Member is invited to rules 35-36 under the Pilgrim Ships Act. Government have not received any complaints on this subject, nor are they aware that the kitchen arrangements on pilgrim ships are in the hands of non-Muslims.

(g) Government have no information but have made enquiries.

NOMINATIONS TO CANTONMENT BOARDS.

398. **Mr. Abdul Haye:** With reference to my starred question No. 189, of the 13th February, 1928, will Government please state if it is clear to them now that under section 14 of the Cantonments Act, 1924, nominations to Cantonment Boards are not made by Local Governments, but by the Commanding Officers? Are such officers under the control of the Government of India?

Mr. G. M. Young: The Honourable Member must interpret the section for himself. Military officers are under the control of the Government of India. This control, however, would not be exercised so as to interfere by executive order with a discretionary power conferred by law.

NOMINATIONS OF MUSLIMS TO THE CANTONMENT BOARD, AMBALA.

399. **Mr. Abdul Haye:** (a) Is it a fact that at the last election to the Lahore Cantonment Board 3 Muslims and 4 Hindus were elected and the Commanding Officer, Lahore Cantonment, nominated, one Muslim and one Parsi under the proviso to clause (e) of sub-section (1) of section 14 of the Cantonments Act, 1924?

(b) In view of the fact that in Ambala Cantonment at the last elections not a single Muslim was returned to the Board, will the Government please state why the Commanding Officer, Ambala Cantonment, did not nominate some Muslims under the proviso to clause (e) referred to above?

(c) Are the Government now prepared to direct the nominations of some Muslims?

Mr. G. M. Young: Government have no information as regards parts (a) and (b), but for the reasons stated in my answer to the previous question. they are not prepared to take the action suggested in part (c).

GENERAL BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—*contd.*

Expenditure charged to Revenue—contd.

DEMAND No. 74—NORTH-WEST FRONTIER PROVINCE.

The Honourable Sir Basil Blackett: Sir, I move:

"That a sum not exceeding Rs. 98,71,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'North-West Frontier Province.'"

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Sir, I do not move the cut* standing in my name.

Introduction of Reforms in the North-West Frontier Province.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, the motion that stands in my name is:

"That the Demand under the head 'North-West Frontier Province' be reduced by Rs. 100."

I do not wish in this connection to go into the matter of the ancient history of the North-West Frontier Province; that is to say, how it was when it was part of the Punjab and how it was when by a mere stroke of the pen in his own autocratic way Lord Curzon separated it from the Punjab and constituted it into a separate province. I am not going to allude to all that; for the purposes of my motion I shall leave it alone. I desire to refer only to its recent history. The first Resolution on the subject of the introduction of Reforms in the North-West Frontier Province was moved in 1921 by my Honourable Colleague then and a distinguished Member of the first Assembly—Sir P. S. Sivaswamy Aiyar, which was adopted. After the lapse of some time and after some hesitation on the ground that there were frontier troubles and things of that kind, no announcement was made regarding the acceptance or otherwise of that Resolution. However, in course of time, it was accepted by Government and some time afterwards it was announced that a Committee would be appointed for making a searching inquiry into the whole question by going and seeing the problems on the spot. This Committee consisted of the Honourable Sir Denys Bray as the President, who was then the Foreign Secretary and who is fortunately present here, and five Members of the Indian Legislature, of whom one was from the North-West Frontier Province—I believe it was Khan Bahadur Abdur Rahim—, another from the Punjab, Chaudhury Shahabuddin, a gentleman from the United Provinces, the Honourable Saiyid Raza Ali, who was then a Member of the Council of State, a Member from Bombay, Mr. Samarth, and one from Madras, Diwan Bahadur Rangachariar. Added to this body were two officials, excluding the President, one a Revenue Commissioner in the Frontier Province and the other an official from the Punjab; thus there is no question that this was a highly representative committee, consisting of Members of the Indian Legislature as well as Government officials.

*That the Demand under the head "North-West Frontier Province" be reduced by Rs 10,000.

[Khan Bahadur Sarfaraz Hussain Khan.]

This Committee made a very searching inquiry on the spot, examined witnesses and at last came to certain conclusions. The report of this Committee was published as late as 1924. Here, Sir, it is important to remember the various dates. In 1921 the motion was first moved and adopted, and it was in 1924 that the report of the Committee was published. There is no doubt that there was a minority report and a majority report; and the majority report accepted the fact that in the Frontier Province there were 22 lakhs of men who, so far as culture and capacity for the management of their own province were concerned, were not inferior to the people of the other provinces. I also find in the report recorded that they did yeoman service and very good service during the Great War. All this no doubt is accepted, that is to say, the capacity of the people of the province to manage their own affairs and the great services done by them to the cause of the Government and of India. The report was at any rate published in 1924. But was any practical step taken after 1924? Nothing of the kind. In spite of accepting all these, beyond mere lip sympathy, what was done? Nothing. Was that the reward for the services done by the people? Was the reward confined to mere encomiums recorded in the report? Did anything come out of it?

Now, Sir, the report was published in 1924. For two years nothing was done; at least nobody heard of anything being done. Then it was that the people getting tired of waiting, suggested to my friend, Maulvi Saiyid Murtuza Sahib and he moved a Resolution which was in 1926. All this time, what practical steps have Government taken in the matter? For the information of the House, I will read the Resolution:

"This Assembly recommends to the Governor General in Council that he be pleased to extend to the North-West Frontier Province the provisions of the Government of India Act which relate to the Legislative Councils and to the appointment of Ministers, etc., with protection to the minorities."

This Resolution was moved in February, 1926; and in March after some heated discussion—we are having a heated discussion on almost everything nowadays—the Resolution was adopted without a division. Now, Sir, can Government say anything as to what they have done after the passing of this Resolution without a division? Or is it not that they have slept over the matter? Have they taken any notice of the Resolution passed in this very House and after so much trouble? No. The reply is a decided "No". Very well, Sir. In March, 1926, this Resolution was adopted without a division, and now it is March, 1928. After two years again this motion for a cut has been moved owing to the lethargy displayed by the Government in this matter. All this time they have remained absolutely silent without doing anything in the matter in spite of their having shown sympathy for the Reforms and in spite of their admission about the capacity of the people of the North-West Frontier Province. It is admitted on all hands that the Resolution so ably moved by Sir Sivaswamy Aiyer met the wishes of all parties, and although so much money, time and energy had been spent by the Government, it is a matter of regret that they have done nothing in the matter. Was any action taken by Government? Is it not, Sir, I ask, that the Treasury Benchers are trying to humiliate us by not giving effect to the Resolutions which we in this House unanimously pass. Their inactivity virtually amounts to saying this: "Do anything you like, shout as much as you

like, but we are not going to move an inch." Sir, this sort of thing exasperates an old man like me, not to speak of young men whose blood rises to the boiling point. Pardon me, Sir, for the expression, but that is what I feel strongly. Is this the way in which the Government should treat the wishes expressed by this House? Can you carry on the administration of this vast country by military control? I am reminded of the speech of their own great politician and orator, Edmund Burke, when the independence of the United States of America was declared. Do the Government think, do they wish—pardon me for saying this, Sir,—but I ask the Government to say if they wish that we should meet in Congress and declare our own independence in this country? Do they wish that? Will it be good for India? Will it be good for England? Now, what is there in this demand about the North-West Frontier Province? I fail to understand why Government should be so nervous as not to take action on the recommendations made by their own Committee.

I am sorry I cannot speak more because of my illness, but I hope that this House, and Members of all parties will, in order to maintain the honour and dignity of this House, support this motion. Two Resolutions have been passed. So much money, time and energy have been spent, still nothing has been done. Why should you make the people desperate. I appeal to the Honourable Member in charge, I request him, and I appeal to this House to accept this motion. Goodness knows what it will end in—nobody knows it. I am an old man, and I appeal to this House, for the good of India, for the good of their own name, for the good name of the people of England who have the Mother of Parliaments would they not look to the ordinary demand of the people of the North-West Frontier Province who the Government themselves say are quite capable and intelligent and are quite fit to take care of themselves? With these remarks I appeal to the House that, with a view to maintain the dignity of the House and to vindicate the honour of this House, they should one and all accept this motion.

With these few words I move this motion.

Mr. President: The question is:

"That the Demand under the head 'North-West Frontier Province' . . . "

Sir Denys Bray (Foreign Secretary): Sir, I am apparently again to face a conspiracy of silence.....

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): We are following you.

Sir Denys Bray: When my friend Sayed Murtaza Sahib raised this debate in March 1926 I was met by a conspiracy of silence. And if my friend Khan Bahadur Sarfaraz Hussain Khan, whose voice, though imperfectly, we were very glad to hear this morning, wishes to know something of the difficulties of this case, something of the reasons which have led Government to proceed with it with the utmost caution, let him turn to some of the Members of his own party, let him turn to some of the Members of other parties in this House for the reason. The other day my friend Lala Lajpat Rai put a supplementary question to the answer given by the Home Member regarding these frontier reforms.....

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): And he was cheered by Sir Abdul Qaiyum.

Sir Denys Bray: My friend Lala Lajpat Rai asked: Is Government aware that Government's indecision is a cause of friction between Hindus and Mussalmans?

Lala Lajpat Rai: Absence of decision?

Sir Denys Bray: I said indecision. I was tempted then to put to him a supplementary question in turn. Let me put to him a substantive question now. Is he aware of any decision that will not cause friction between Hindus and Mussalmans?

Lala Lajpat Rai: Yes, I am prepared to reply to that question.

Sir Denys Bray: I am glad to hear he will reply to it. I wish he had spoken before I got up.

(*Some Honourable Members on the Congress Party Benches:* "How could he anticipate the question?")

Nawab Sir Sahibzada Abdul Qaiyum (North West Frontier Province: Nominated Non-Official): Is this the only fear or is there something else also?

Sir Denys Bray: I searched my memory in vain, Sir, for any contribution from him; I searched the records in vain for any contribution from him in that debate.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Is he the arbiter of the destinies of the North-West Frontier people?

Sir Denys Bray: He was one of the arch-conspirators in that conspiracy of silence. If he has a solution now, devoid of friction, let him lay it before the House quite plainly.

Lala Lajpat Rai: I will.

Sir Denys Bray: And I will give him an assurance that Government will not turn it down lightly, (*An Honourable Member:* "Lightly?") provided always it gives due weight to the essentially all-India aspect of the problem.

I frankly confess, when I saw this motion on the paper, it filled me with dismay. For in that frontier debate I lost my last shred of reputation for clarity of expression. I spoke to the best of my ability, endeavouring to the best of my ability to place the difficulties of the problem before the House, and the measure of success that we were likely to meet with in surmounting those difficulties. Since that debate matters have not stood still. The detailed examination of an extraordinarily difficult problem, extraordinarily difficult even in its technical aspects alone, has proceeded a great way. Yet difficulties still bristle. Some of the old difficulties remain. Fresh ones have cropped up,—difficulties, of course, regarding finance in a province necessarily deficit; difficulties, of course, regarding the delegation of powers in a province in which the all-India aspect is all-compelling; difficulties, of course, of preserving the Central Government's control over those all-India interests.....

Mr. K. Ahmed: But you have spent more than 30 crores in Waziristan.

Sir Denys Bray: Difficulties inherent in the essential inseparability of much of the cis-frontier business from the trans-frontier; difficulties, as I said just now, communal in origin. And as after that debate I myself have no longer any reputation in this House for clarity of expression, it would ill beseech me to attempt to sum up Government's attitude in my own words. I shall do so in the words, simple and clear, of that very clear man, the late Leader of the House.

"The question what and in what direction constitutional advance can be given in the North-West Frontier Province has been and is under the consideration of Government. No definite decision on that point has been arrived at and no definite decision on that point will be arrived at or announced till Government are satisfied that they have come to a right conclusion and that the moment for its announcement is ripe."

Maulvi Mohammad Shafee (Tirhut Division: Muhammadan): That is what Sir Alexander Muddiman said.

Sir Denys Bray: I am quoting Sir Alexander Muddiman.

Mr. T. C. Goswami (Calcutta Suburbs: Non-Muhammadan Urban): An extremely clear exposition.

Sir Denys Bray: Those words remain as true now as they were then.

Mr. R. K. Shanmukham Chetty: They will remain true for ever.

Mr. K. Ahmed: What about the rule of the excluded middle, Sir, in logic?

Sir Denys Bray: The Honourable Khan Bahadur Sarfaraz Hussain Khan, if I heard him aright—and I was a little difficult of hearing to-day—made no allusion whatever to the all-India aspects of the case,—those all-India aspects which I know my friend Mr. Lajpat Rai is going to deal with adequately. But I would remind the House that they were dealt with not merely in our majority report. Indeed the all-India aspect is scored right across it. It was scored also right across our debate. Furthermore, it received great prominence in the report and recommendation of the minority. I would remind the House that Mr. Rangachariar, one of the two dissentients—the other, alas, my old friend, Mr. Samarth, is no more—.....

Mr. R. K. Shanmukham Chetty: Ask Mr. Rangachariar what he thinks now.

Sir Denys Bray: Mr. Rangachariar, Sir, with an intellectual honesty wholly admirable made it quite clear that it was a necessary implication of his proposal that there should be a forward movement right up to the Durand Line. That, Sir, I would put it to the House, sums up in brief one of the great difficulties of this case. It is true, since the debate some of the difficulties in one of the areas has been lessened. Five years ago, as I remember well, Sir Basil Blackett's first Budget had an ugly blot of Waziristan with its extra military and allied expenditure upon it. In his last Budget Waziristan re-enters, but in how different a guise! It re-enters hand in hand with Baluchistan, once the scourge of Sind and the Punjab, now the very model and ensample of frontier provinces. It re-enters, Waziristan does, with Baluchistan to illustrate Sir Basil's solicitude for beneficial nation-building on the stage of the Central Government. Five years ago, Sir, I made a fighting speech in defence of our Waziristan policy. To-day I make no defence. Defence is not needed. The policy has made

[Sir Denys Bray.]

good. (Hear, hear.) Indeed our very success blinds us to its very magnitude. Five years ago there was no doubt of the magnitude of the problem itself. It is no doubt very difficult to bring home to anybody who has not been to the frontier some idea of the magnitude. Let me endeavour to do the best I can in five minutes. First, let crude statistics of trans-border raids speak for themselves.

Mr. K. Ahmed: What about the Report?

Sir Denys Bray: I am going to quote from the Report.

Mr. K. Ahmed: Not Mr. Rangachariar's.

Sir Denys Bray: In 1919-20 there were in Dera Ismail Khan alone, but one of the districts that about on Waziristan, 125 persons kidnapped (all, but 18, Moslems) 62 killed, 61 wounded, 10 lakhs of property carried off. Now this, I think, will bring home something of the magnitude of the problem with which we were confronted then, something of the difficulty of the problem we are now debating. And yet, I suppose, no one who has not stood on those hills in the transborder—those hills that breed more than they can feed and looked down with imaginative hunger on the rich plains below, can realise its magnitude. Since then, our policy has taken root, has made good—our policy of a strong cantonment outside but above and dominating the Mahsud country, with our scouts of Irregulars, that fine body of men, and with the tribal khassadars, the embodiment of the tribe and at the same time the servants of the Government, all these forces linked together by a central road. And what statistics have we to compare with the ghastly statistics of 1920? As against 125 kidnapped, the figure for 1926-27 is none. As against 62 killed, the figure is none. As against 61 wounded, the figure is one. As against 10 lakhs of property lost, the figure is Rs. 2,800 and one Government rifle.

Test the policy by the general spirit in the country. Five years ago, the tribesmen were opposing the building of roads. To-day they are clamouring for them. Not only are they clamouring for the prosecution of road-building, they are clamouring for roads in their own particular areas. They are clamouring for more schools; the few schools that we have set up have done extraordinarily well. They are clamouring for irrigation, and that is the feature which adorns Sir Basil's Budget. They are clamouring for more dispensary work. One of the best known villages in the Mahsud country, Kaniguram, is even clamouring for a well-known lady doctor of Dera Ismail Khan to set up in their midst. They promise her a fitting house. They promise her fitting furniture. They promise her up-to-date surgical instruments—loot in the last Mahsud expedition. (Laughter.) Even more significant perhaps when we look for evidence of the success of the policy is the spirit among the tribeswomen. 5 or 6 years ago, they were more reactionary than the men. They have now learnt to be keen on those luxuries, those little luxuries, brought up the road, by that great Empire builder, the Hindu pedlar. They have learnt to value even more the security which the road and the policy bring to their men and their children. 5 years ago. Sir, as I remember well, I spoke in favour of this policy as a forward policy of civilisation. I was greeted with a laugh. Who laughs to-day?

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): The same that laughed then.

Sir Denys Bray: I did not catch my Honourable friend. But if he laughed, it was with the laugh of an empty mind. And mine is the blame. For out of my knowledge I have not been able to impart to him the gravity and magnitude of the problem, and the magnitude of the success. 5 years ago, they preached to me that the policy I was advocating was midsummer madness, the throwing of treasure down a bottomless pit. I know of one audience at any rate where a man will get no hearing if he attempts to preach against the policy to-day. I am thinking above all of Dera Ismail Khan, and the Hindus of Dera Ismail Khan who know what it was to have suffered and who now, thank God, know what it is to be secure

Mr. K. Ahmed: But you knew that perfectly well in March, 1926, when you had voted for the Resolution.

Lala Lajpat Rai: Are they secure?

Sir Denys Bray: And soon there will be no hearing for any such preaching in India at large, as knowledge of what is going on permeates India. How indeed could it? I conceive myself that in a matter like this, there can be only one policy for India. The policy—I have chosen my word wrong. The word policy does not sum up my meaning. I want something more all-embracing, something that is the very foundation of the building of a nation. India, as I conceive it, must cling always firm to the principle of gradually spreading India's civilisation up to the very verge of India's uttermost limits.

Nawab Sir Sahibzada Abdul Qaiyum: Sir, I thought I shall keep away from this debate. I have spoken so often on the subject that I was afraid the House might consider me a fanatic or a maniac if I spoke again on the subject.

Mr. H. G. Cocke (Bombay: European): Not too often.

Nawab Sir Sahibzada Abdul Qaiyum: And this was the reason why I did not suggest the introduction of reforms in my motion and selected smaller subjects for my cuts. However, this general question has been introduced in the House by my friend Khan Bahadur Sarfaraz Hussain Khan, and if I do not say some words in its favour or against it, I shall be blamed by my people in the North-West Frontier Province. I have to justify my existence in this House and I must say something. The question of reforms has assumed an all-India aspect now, and it is not only for me to defend and advocate it, but all those who are affected by it must defend or offend it as they like. Sir. Confining the question to my little province only, I should like to put it in a very brief form and shall try to avoid bringing in the question of Imperial policy, and it is in that form that I am going to say just a few words. Sir, the very eloquent speech and the very fine way in which Sir Denys Bray has put the case, is very difficult to eulogise or to add to it. He has put the case very well, Sir, and he has shown us all the improvements and advancement in civilisation that have been brought about in the Province during the last five years. There is no gainsaying that. Things have greatly improved. But my simple question to him is, Sir, "Will the introduction of the so-called reforms impede that progress? Are we going to be held responsible for the peace and tranquillity of the country after we get the reforms or will that be a reserved subject?" The Government will, I believe still be responsible for keeping peace and tranquillity in the country, and they will be still taking measures

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to stop raiding and troubles from across the border. I do not grudge them that power. That power has not been given to the rest of India. What will be entrusted to us? The transferred subjects. And what are these subjects? The mending of a road here or there, the establishment of a school here or there, or the opening of a hospital here or there.

Mr. D. V. Belvi (Bombay Southern Division: Non-Muhammadan Rural): And "Boiler Inspection".

Nawab Sir Sahibzada Abdul Qaiyum: That is all that we may be entrusted with. But if we are capable of running the administration in various other ways, that is, through the Frontier Crimes Regulation, and if we are capable of giving a verdict in a case about the guilt or innocence of a person, where expert Police have failed, where judicial officers with the help of the Bar and the witnesses have failed, if on our verdict a man is sentenced to 14 years rigorous imprisonment, are we not capable of giving our verdict about the repairs of a certain road costing some money? I have the honour to belong to a tribe called the Yusufzai, where across the border there is no permanent government, and there they run their affairs on most democratic lines. The whole of the countryside is divided into shares according to their ancestral divisions. There are so many shares, say 300 or 400 shares. Every family is supposed to possess one share. There is the party in power and there is the party in opposition, who are called by different names. One is called "Tor Gund", that is, the Black party, and the other is called "Spin Gund", i.e., the white party—just as in old days in the Wars of the Roses there were the White Rose and the Red Rose parties—If the party in power does not command the confidence of the greater number of the shareholders or more than half of the shareholders in the country, it loses the position of being in power and must delegate the administration of the country to the opposite party, which commands a greater number of shares. But you have one great nicety about this, and it is that the minority party may be ten times larger and stronger in numbers and the fighting strength of the party in power may be smaller, but the larger numbers of the former would not help in ousting the latter—that is their own cousins and their own dependants will not help in upsetting the old law of election. That is exactly how they are running their affairs for ages. When we are capable of running our administration across the border so smoothly by the two-party system, one in power and the other in opposition, are we not capable, after 80 years of rule under the civilised British Government, to know a little better than those people? That is my point. A good deal has been said about expenses. It startles me when I hear the word "expenses". According to the Bray Committee's report the cost of the reforms including the pay of the Minister is only Rs. 42,000. Excluding the pay of the Minister Rs. 24,000, the cost will be Rs. 18,000 only. You may find an honorary Minister if you can find Honorary Sessions Judges, Additional District Magistrates and Munsiffs working honorarily

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Here is an honorary Minister for the North-West Frontier Province (pointing to the speaker).

Nawab Sir Sahibzada Abdul Qaiyum: Even in this Budget you have sanctioned several lakhs for additional jail accommodation, etc., etc., and

you can certainly find a little money for our reforms which would not cost very much. The question of reforms, according to the Bray Committee report, is not to be considered in that light. I shall quote one little sentence from that report in this respect. In paragraph 35, on pages 29 and 30, the Committee say:

“However pressing the urgency for retrenchment no consideration of economy should be allowed to delay the introduction of the Reforms we advocate. Our scheme is not a costly one, seeing that India depends largely for her security on the contentment, well-being and good government of the North-West Frontier Province.”

That is on the question of expense. Then there was the question of the will or wish of the people. I wish nobody had said a word about it. The matter started from the community which is now justly or unjustly accused of obstructing the reforms. I do not believe there will be a single man now, except perhaps the President of the Hindu Maha Sabha, about whom I am not sure, who will oppose the introduction of reforms in the North-West Frontier Province as a matter of principle

Maulvi Sayyid Murtuza Sahib Bahadur (South Madras: Muhammadan): Even he would not oppose it.

Nawab Sir Sahibzada Abdul Qaiyum: But the matter started with the Hindu community. It was very hotly advocated by the Hindu community before the Enquiry Committee, and even this year, on the 3rd February, 1928, there was a united mass meeting at Peshawar in which the Hindus, Sikhs, and the Mussalmans joined together and said, the reason why they were for boycott was because they were not given the little tip of reforms and had been deprived of the same. That is the verdict of the Hindu community and I have not come across a single man here, who has told me the reverse of it. Again, there was an idea at one time that the Khans and leading chiefs were not very keen on it. Things have changed in that respect too, because on the 15th December last a big At Home was given by the *raises* of the North-West Frontier to the Honourable the Chief Commissioner and their address contained a demand, a request, or rather an appeal for full-fledged reforms. Therefore that possible objection also may be brushed aside. I do not know from what other direction any cry for not introducing reforms can come. I will not dilate on these questions. It is obvious that everybody wants these reforms. The scheme is not expensive and we are fit for reforms according to both the minority and majority reports of the Bray Committee.

Then there is another little matter to be considered. Reference has been made to a certain remark of Mr. Rangachariar's but, Sir, in spite of that the majority committee recommended the introduction of reforms. Have things developed in the wrong direction since? Have we become more ignorant, more uncivilised, more uneducated since then? Sir, I do not believe that the reforms are going to give a setback to the progress of the province going on in the right direction. Even the Honourable Member said that the introduction of schools, the opening of new roads and the various other civilising methods adopted during the last five years had led to the peace and tranquillity of the country. Is that not a good proof to say, “Let us introduce the reforms and there will be one more civilising factor”? It is not going to retard the progress of the province. It will go to strengthen it. Do you mean to say that when there will be a Legislative Assembly we will pass dangerous and iniquitous laws which could

[Sir Sahibzada Abdul Qaiyum.]

not be vetoed by the Chief Commissioner or the Governor. We may pass undesirable Resolutions but they will not be binding on the Government. Have all the Resolutions passed by this House been binding on the Government? I cannot understand what is this mysterious danger which comes in at budget time. There seems to be something typhoonic under the surface of which we are not aware. If I had been one of those Members sitting on the opposite benches, who had no confidence in Government or whose confidence had been shattered, I would have thought that there must be something else, but I am a firm believer in the honesty of purpose of the Government. I still admire them for what they have done in the transborder area and for what they have been doing for us. I still think there is something beneath the surface which they cannot put before the House, because all that the Honourable Member has so far said is not convincing. If I were a disbeliever in the good motives of Government like my friends opposite, I should have said that they want the whole of that area for a manœuvring field for the training of the Indian Army and that they should go on with these manœuvres in Nagpur near the House of my friend Dr. Moonje, though they may say that the transborder area is more suitable for practical field operations. That is very clear, but I really believe there must be some other solid reason for this attitude of Government.

(At this stage Mr. President vacated the Chair which was taken by the Deputy President.)

If we knew the real reason, we could tell our people that they should not worry about the Legislative Assembly, that it is really impossible to introduce that little tiny plaything in the North-West Frontier Province. As a matter of fact nobody cares very much for that. Personally I shall be quite satisfied if the Director of Public Instruction is made into a Director in Council, with one or two Hindus, 3 or 4 Muhammadans, as the requirements of the case may demand, and education is given on more popular lines. As far as I am concerned, that would satisfy me. I am not a great believer in these reforms as I have previously said on the floor of this House. If you cannot change the age of consent from 13 to 14, what is the good of your reformed Legislative Assembly? I do not believe the Assembly is any good even here. But we have been shown a goal and that goal must be reached by following a certain road chalked out for us and we, being part and parcel of India, must also take that road to reach the goal.

There is only one word more I want to say. I really cannot exhaust the subject: If it is really the Hindu community and the Maha Sabha whose certificate will help our cause, I shall be prepared to take a deputation or what we call a *jirga*, to Dr. Moonje even at some sacrifice of our vanity, but if that is not likely to help us, I would not take this trouble. Dr. Moonje need not get up every now and then and say "I will give you this and will not give you that" as if it is in his hands. I think he is very much mistaken.

With these words I support the motion.

Lala Lajpat Rai: I want to extend my sympathy to Sir Denys Bray. In the difficult position in which he finds himself whenever the question of the introduction of reforms in the North-West Frontier Province comes

up before this House, I feel real genuine sympathy for him; and the way in which he performs his duty does credit to his training as a Political and Foreign Secretary because every time he evades the real issue, surrounds his replies with so many ifs and buts and irrelevant questions that in the end we are no wiser than when he had begun.

Sir, my Honourable friend has challenged me. I accept that challenge and I am prepared to say on the floor of this House that I personally am not opposed to the introduction of reforms in the North-West Frontier Province. The Hindu-Muslim position has greatly improved since the last debate took place on account mostly of the advent of the Simon Commission. That is my first reply to the Honourable the Home Member for the taunt he addressed to us yesterday about our failure to arrive at any decision of the Hindu-Muslim differences in the All-Parties Conference. I go a step further and say that I do not think my friend Khan Bahadur Sarfaraz Hussain Khan should have based his claims for reforms in the Frontier Province either on the ground of the capacity of the people, or as a reward for the services rendered by the people of the Frontier Province in the War. I think he should have based his claim on the natural right of the people to govern themselves.

Well, Sir, I think the Government have played with this matter for too long. My anxiety on this question was displayed the other day when I said that in one way or the other the Government should decide this question at once, because its continuance in its present fluid condition causes more and more bitterness between Muhammadans and Hindus. I also made that representation to the highest authorities in India before the advent of the Simon Commission. I said that the question should be decided one way or the other as soon as possible. I am aware that the question is a very serious one. It involves grave issues of internal and external moment, and the prosperity of the people of India as a whole; but there ought to be a limit to the consideration of these questions. Surely Government can arrive at some decision? Why should the Government constantly tell us that the matter is under consideration? If Government were honest enough they should have said, "No, we are not at present prepared to give reforms to the North-West Frontier Province." That is their real attitude which they took up in the last debate. There is no use of saying that the matter is under consideration. Is it going to be under consideration for an illimitable time? (*An Honourable Member*: "Till the end of the century.") While you yourself are not prepared to give reforms, you very cleverly and very diplomatically lay the blame on the Hindu community. That is the point which I wish to advance before this House, and I also wish to add that the Hindus of the North-West Frontier Province should make it clear that they are not going to oppose these reforms, because the present administration does not benefit them in the least. My friend has been singing the praises of the North-West Frontier Province Government. When did the Government of India care for the opinion of the Hindus? At the time when my friend carried on an enquiry into the affairs of the North-West Frontier, the Hindus wanted five settled districts of that province to be amalgamated with the Punjab. The Muhammadans would have supported that, because they would have come under the reformed Government, but the Government did not want the amalgamation, therefore the Government won over the opinions and votes of the Muhammadans by a kind of promise that they should have a Council in that province.

Sir Denys Bray: No.

Lala Lajpat Rai: That was a trick played on them, otherwise the Muhammadan community would have certainly voted for the re-amalgamation. My friend, Sir Abdul Qaiyum supports me in that proposition, that they would rather come under the reformed administration of the Punjab than remain in a province without reforms.

Nawab Sir Sahibzada Abdul Qaiyum: I was the first witness before the Bray Committee and I said towards the end of my statement that if we could not be given fullfledged reforms, we should like re-amalgamation with the Punjab.

Lala Lajpat Rai: I am very glad that Sir Abdul Qaiyum has made the point clear. What happened? The matter came for decision before the Government, and the Government accepted that part which suited their policy, that is, the non-amalgamation of the five districts with the Punjab. The rest they left to be considered, and they have been considering and considering and considering the matter ever since. Every time the debate comes up the Government charges us with a conspiracy of silence, while we charge the Government with a conspiracy of manœuvring. They want the Hindu and Moslem members of the House to fight for their pleasure and profit. They don't say definitely, "No" or "Yes". They leave the Government Members to vote whichever way they like. Why cannot the Government say, "Yes" or "No"? Why cannot they decide one way or the other? Let them even say that they are not prepared to give reforms just now. But every time the answer is "The matter is under the consideration of Government. The issues are so grave." We all know that. The only conclusion that we can therefore come to is that the Government are at the present time on account of those issues not prepared to grant the reforms. Say that plainly, and then the Muhammadans and the Hindus will know how to proceed further, and what to do. But you keep them both on the string. Once you try to get the Hindu flunkies to your side, and at another time the Muhammadan flunkies, and you keep them both fighting together like birds of prey. That is the position of the Government. My friend has asked the Mover to refer to members on this side for an answer to his motion, that is very clever of him. I may tell him that in the All-Parties Conference matters have advanced considerably. There was nobody there, as my friend Dr. Moonje will tell you, who was opposed to the reforms being introduced in the North-West Frontier Province. The only question was whether it was to be done immediately or after the province had been put on the same level with other provinces in the matter of its Judicial and Executive Administration. That was the position. All these outstanding questions could be settled to-day if we were sure that Government would accept our decision. Our uncertainties, our quarrels are due to the uncertainty of Government accepting our decision. Even now the Honourable the Foreign Secretary is very wise or very diplomatic or very clever in saying that the decisions arrived at will not be turned down lightly. Who is going to be sure of that word "Lightly". Are we to decide that or you? Will you give us an assurance that you will accept any decision which the All-India Muhammadan and Hindu associations arrive at, and carry it through? Give us that promise, and we will settle that question in no time. That is my second reply to the Honourable the Home Member. We do not know what view the Government is going to take, and therefore the Muhammadans and Hindus continue to keep

apart. But if we were left to ourselves, a decision would be arrived at in no time. We cannot decide all these pending questions finally, because we are not certain what view the Government would take of the matter. The position of the Government is regrettable.

I wish to say another thing, and that is that, so far as the administration of the Frontier Province is concerned, it is a rotten administration, rotten to the core. The vernacular Press of both provinces says that it is a lawless province, and certainly there cannot be any other name for it. It is a province from which anybody can be turned out or prevented from entering it for no reason. The people are sentenced to 14 years' imprisonment without a judicial finding. It is certainly not entitled to be called a province in which the law is administered. If after 75 years of administration the North-West Frontier Province is not in a position to-day to administer the ordinary laws of the country, is not in a position to adopt judicial procedure in its dealings with its residents, I submit that administration is an administration that is entitled to be swept away.

I want to say one thing more to Sir Abdul Qaiyum. The responsibility rests mostly on him. As long as he continues his present attitude of siding with Government and saying things in praise of the administration of the North-West Frontier Province, he will never get any reforms in that province. The way to get reforms is to point out the mistakes of the administration and to show that the administration is rotten, backward and lawless. Let him join hands with his Hindu countrymen and present a unanimous front to get the administration reformed and changed. I would ask my friend to come over to this side of the House and join hands with us, and then he will get reforms sooner instead of making out that he has got nothing to say against the administration. If he has nothing to say against the administration, then why harp on this string every time, and still go on voting in the Government Lobby every time, even when we ask him to vote for the leadership of Indians at Geneva? That is not the way to get reforms. He is no doubt a very shrewd man and knows which side his bread is buttered. (Laughter). But I would beg of him on the floor of this House to give up that attitude, that subsidiary attitude towards the Government, voting in season and out of season for them and supporting their administration. Sir, he does not say, he has not had the courage to say, but I say that the administration in the North-West Frontier Province is carried on no principles and should be changed, should be improved or swept away. He should use stronger language because he said just now that he knew the conditions and his people suffered therefrom. But when he continues to adopt that sort of *non possumus* attitude, that attitude of super-loyalty, he will never get anything out of the Government.

Now I want to say one word more. The other day, Sir, I proposed a cut to which objection was taken by my Honourable friend Khan Bahadur Sarfaraz Hussain Khan. I have great respect for him, and even though he used a very discourteous term about me I never took any offence because I am sure he never meant any. I proposed that cut for two objects and I want to explain them. Firstly, I wanted to tell my Hindu countrymen in the North-West Frontier Province that the administration of the Province even at the present moment was practically a Muhammadan administration and that they would not suffer by any change. Take the lists of different departments in that Province. I have twelve

[Lala Lajpat Rai.]

such lists in my hand which show that the Hindus have been completely eliminated from the officer ranks of these departments, including the Education Department. Even in the Education Department there is not a single Hindu officer. No body can say that Hindus are not fit to serve in the Education Department as inspecting officers, etc. It is a predominantly Muhammadan province, and we do not object to Muhammadans taking a larger share. That is not a point on which I wanted to raise the communal questions. When I raised that point I wanted to point out that the Government was doing practically nothing for the Hindus in that province and that the Hindu population had no ground to be grateful to them or my other object was to point out to my Moslem friends that there was another side also. Really speaking there is no security either of property or of person for the Hindus in that province. What happened at Kohat, Dehra Ismail Khan and other places is conclusive evidence if any was needed on that point. Judging from the reports which appear in the newspapers, almost every day, the condition of Hindus in the villages and in the smaller towns is such that they are being crushed into atoms by the absolutely irresponsible administration of that province and by irresponsible Muhammadan administration. I think a Muhammadan administration will under no circumstances be worse for them than the present British administration. The Hindus and Muhammadans of the North-West Frontier Province ought to take lessons from their past. They ought to join hands and make a united demand. They ought to sit down together at a table and draw up a scheme for the better government and administration of their province and put it before the public as a united demand. They will then have the sympathy of all-India, and they will carry it—it may not be in six months or a year but in a very short time. But as long as they continue their present attitude—Hindus showing gratitude to Government for their houses being looted or burnt down and Muhammadans going over to the Government and saying “This Government is admirable”—I say you will get nothing. You have to point out the defects of the present system and demand improvement. That is my attitude towards this question, and I wish and hope that all Hindus will adopt the same attitude.

Mr. C. S. Ranga Iyer: Sir, the Honourable the Leader of the Nationalists party has given expression to the opinion of a large number of Hindus who also have a communal view point. Sir, I welcome from this side of the House the observations that he made. I believe there may be others who might speak on that subject, but some of those Responsivists who owe a great allegiance to Lokmanya Tilak have risen to the expectations which the Lokmanya had of them. Sir, it was in the Lucknow Congress when the Lucknow Pact was signed that Lokmanya Tilak said, “the Government are in the habit of saying that the mild Hindu is not fit for reforms, that the mild Hindu is not fit for Swaraj.” Then he said “if the Hindus are not fit for reforms, fit for Swaraj, give it to the Muhammadans.” He knew how to take it from the Muhammadans. Even so I say if the Hindus down in the plains are mild people, incompetent people, men who are not hardy and sturdy to fight for their country or defend themselves, I say give Swaraj to the Frontier people. You cannot bring the charge of physical incompetence or military unfitness against the Frontier people.

Sir, one question, that is put to an Indian Statesman who goes to England, from His Majesty downwards, the question that is put from the Prime Minister downwards, from the Secretary of State down to the official Opposition in the House of Commons, is this: "Are you fit to defend yourselves? Without home defence how can you have home rule"? So long as you do not give the Frontier people a chance of defending themselves, so long as you do not give them a chance of working their own administration, so long will the charge be hurled against us, the charge of our not being able to defend ourselves and so long will the Frontier Province be maintained in a state of warfare.

Sir, it is a fact that the British Empire, that Great Britain is sending its soldiers to this country to make them fit, to keep them in a ready state for regular, steady warfare. And this Frontier Province—the secret of which my Honourable friend the nominated Member was willing to brood over but unwilling to disclose, the secret of it is this: The Frontier Province has got to be kept in that condition not only for the maintenance of the British Raj in India, but also for the upkeep of the British Empire—the only Empire, Sir, as Mr. H. G. Wells, a great Englishman, remarked, in which Hohen Zollernism prevails. Banished from Prussia it has taken its refuge in England; and it is this Prussianism which is responsible for their persistence in the Frontier policy.

Sir, the Honourable the nominated Member from the Frontier Province said there was another consideration and he was unwilling to mention what that consideration was. I could guess what it was and I am prepared to mention it. If I am wrong I am sure the Honourable Sir Denys Bray, for whom personally I have the highest admiration, will correct me. Sir, it was a part of the ambition of the British Empire to have another Empire between Great Britain and India, the British Empire in the Middle East. The exact designation of that Empire, for the present, escapes me.

Sir Denys Bray: I very willingly contradict him, Sir.

Mr. C. S. Ranga Iyer: Well, the Honourable the Foreign Secretary has contradicted that statement. Possibly that idea has become a forgotten dream since he rose to power in the Foreign Department, but I must mention the dream that was and the dream that might be again. Sir, representatives of the Government—here again I would ask the Honourable Member to correct me if I am wrong—went on an enquiry almost into the middle of Asia, and they were also thinking of Persia in decay and as Afghanistan was not independent there was a chance of establishing a central Asian Empire of Britain. I think the Honourable Member is right. Afghanistan has since effected her independence . . .

Sir Denys Bray: Sir, I rise to a point of order—not that I do not want to contradict him also as I did before; I rise to a point of order. He appears to me to be trespassing on very dangerous ground outside the purview of this House; and having said that I would say again that I contradict his underlying idea absolutely.

Mr. Deputy President: Perhaps he is trespassing on dangerous ground on his own responsibility.

Mr. C. S. Ranga Iyer: Thank you, Sir. I am afraid the motion is very dangerous. The very mention of an idea makes my friend panicky. I do not mind his taking up that attitude. I know Afghanistan is independent and I know that they want a permanent buffer between Afghanistan and India. But what I really want is what the Honourable the Foreign Secretary said in the last sentence of his speech. We want Indian civilisation to go to the farthest verge of India and not to stop somewhere in the neighbourhood of that verge; and if the reforms are not introduced,—and the reforms are not part of Indian civilisation I admit—Swaraj is part of Indian civilisation;—if the reforms are not introduced, I will ask the Foreign Secretary to take steps to introduce Swaraj in the Frontier Province. If they are not willing to give Swaraj to India, let them give Swaraj to the Frontier Province. I am unwilling to be swayed by imperial considerations. The Empire is of no use to us. So far as national considerations are concerned I am not afraid of an invasion from outside. I am not afraid of a Russian invasion because Russia has got to rehabilitate herself. She has not yet found herself; she is organising herself and finding herself; and until she is able to stand on her own legs and develop her own resources, there is no danger of a Russian invasion. At present it is only a bogey and a threat. I do not fear an invasion from Afghanistan. I know the Amir of Afghanistan is touring in Europe. I know that he is coming into contact with European powers to modernise his army; but he is doing it in sheer self-defence; and I suppose because a neighbouring Government is making itself fit for modern warfare the argument of the Honourable Member is strengthened, “Oh it is too dangerous to mention.” Yes, it would be dangerous, it would be unthinkable Swaraj or reforms for the Frontier Province would be inconceivable from the Government’s point of view because they want to perpetuate the present state of affairs. Therefore, I would ask the Honourable Nominated Member of the North-West Frontier Province to fling his nomination in the face of the Government and go back to the Frontier Province and organise them for reforms as we are organising India. The reforms did not come down to us as an airy fairy thing. The reforms did not come sailing on the wind; we got these reforms by action. Let him practise it in his own province and he will have more reforms than he will get by Resolutions or speeches.

I wish to quote an authority on the policy which is pursued in the Frontier Province. It is this:

“It is superfluous to say that more or less the military policy held its ascendancy during the Viceroyalty of Lords Lansdowne and Elgin. There was the Kashmir imbroglio and the subsequent occupation of Gilgit, Hunza and Nahyar. The Chitral expedition followed and later on the inglorious expedition to Tirah. All these were the fruitful products of that ascendancy. But the policy became exceedingly mischievous during the masterful and strenuous Viceroyalty of Lord Curzon. No Viceroy came to India more steeped in the reddest of red Imperialism than he. It eventually led to the so-called peaceful expedition to Lhasa,”

and so on, and so forth. Sir, here is an idea which is, I believe right. (An Honourable Member: “What is that book? Is it ‘Mother India’?”) It is a very good book. It is a book which contains the speeches of a gentleman who is one of the pillars of the British Empire—Sir Dinshaw Wacha. (Laughter). It is also the speech of a gentleman who is supposed by the other side to be an authority on finance and matters of that kind, and it is a speech that contradicts the contradiction of the Honourable the

Foreign Secretary. I admire the ability with which he has tried always not to show us the right side of the shield. He accused us of a conspiracy of silence. I do not accuse him of a conspiracy of any kind. His is the genius of rhetoric and literary power which makes him deliver a beautiful speech, but after hearing which you do not know where you are. (Laughter). He may perhaps feel like Jeremy Bentham,—“Stretching his hands to catch the stars, man forgets the flowers at his feet” the flowers of rhetoric, the flowers of poetry, the flowers of speech, admirable to listen to, but thus far and no further.

***Maulvi Sayyid Murtuza Saheb Bahadur:** Sir, inasmuch as a very strong case has been made out by the previous speakers, I shall try and be as brief as possible. The Mover of the motion, my Honourable friend, Khan Bahadur Sarfaraz Hussain Khan, moved it very ably and he dwelt upon all points very efficiently, and he was supported by the three speakers who followed. So far as I am concerned, Sir, I have to meet the argument put forward by my Honourable friend, Sir Denys Bray. He said that out of diplomacy they have to maintain this policy of non-introduction of reforms in the North-West Frontier Province. What I would say to him is that we do not want European diplomacy; we want Indian straightforwardness and simplicity. Diplomacy has proved disastrous to the cause of India; we do not want such diplomacy.

Then he dwelt upon another aspect of the question and said that it is an all-India question and so it should be handled very cautiously and very delicately. Sir, because it is of all-India importance, it is all the more necessary that reforms should be introduced in that province. When provinces of minor importance have reforms granted to them, I do not see any justification for not granting reforms to a province like the North-West Frontier Province which is declared as a very important province

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): What about the Moplahs?

Mr. Deputy President: Order, order. Maulvi Murtuza Sahib.

Maulvi Sayyid Murtuza Saheb Bahadur: I am sorry, Sir, that Colonel Gidney has given up his bravery as a military officer; as a military man he ought to admire the Moplahs. When I say that he ought to have admired the Moplahs I do not defend the Moplahs in the wrong and erroneous way in which they attacked; but there is bravery in them and Colonel Gidney also is expected to give full vent to his bravery and come forward to help in this cause. But I dare say he is simply a doctor (Laughter) and as such he ought to have diagnosed this thing properly. He has failed to do that

Mr. Deputy President: Leave him alone; you go on with your speech.

Maulvi Sayyid Murtuza Saheb Bahadur: Sir, I am sorry I was unnecessarily dragged into it. I started my speech by saying that I would be brief. But now I will simply quote one Persian saying to this effect. We are in Delhi and yet the Government wants to assure us that “*Hinoz Dilli dur ast*” which means this. To those who are in Delhi they say that Delhi is far away. Now, Sir, this question was debated upon here, and there were so many meetings held in the North-West Frontier Province and these meetings were attended by 20,000 and 25,000 people, and they put forward their case very ably and very cogently, and this is the

ayyid Murtuza Saheb Bahadur.]

Sir, so far as I know, in the history of this Assembly in which Government had not the courage not only to challenge a division but the official Members, except the Members of the Executive Council were permitted to vote as they liked. That was the fate of the Resolution when I moved it. Can my friend the Foreign Secretary say that he has changed his mind now, when he came forward to support my Resolution when I moved it on the last occasion? And to-day I do not see any reason why he should not support us. I hope, Sir, he will vote along with us just as he supported us on the last occasion. Now, Sir, he himself has strengthened the hands of the Mover and the supporter in one way by quoting some figures. He said that five years ago the state of affairs in the Frontier Province were not so good as they are at present, and that matters have now improved. Under such circumstances I do not see any reason why he should not vote along with us, and I would appeal to the Government to support us so that we may carry this cut unanimously.

The Honourable Mr. J. Crerar (Home Member): Sir, my purpose in intervening in this debate is a very limited one. Sir Denys Bray has spoken with an ability and with an authority based upon an intimate personal experience of the problems before the House to which I cannot lay any claim. It is not my purpose, therefore, to add to what he has said. I only wish to say a few words with regard to something which fell from my friend Lala Lajpat Rai. He suggested that I used disparaging language in referring to the proceedings of certain conferences which were addressing themselves to the problems before the country. I wish to say at once that I had no intention whatever to disparage their efforts in this matter. I made that perfectly clear in speaking on an earlier debate on the subject that I acknowledged the sincerity and the earnestness of motive by which inquiries of that character had been carried on. Pandit Madan Mohan Malaviya speaking on the same subject used language with which I had a great deal of sympathy and the justice of which I largely appreciated. He spoke of the great gravity of those problems, he spoke of their intricacy, he spoke of the fact that the conferences to which he was referring had to carry on their labours under great disadvantages, that they had not in particular many of the resources which a Government engaged in similar inquiries would have behind them. Now, Sir, all those contentions I fully appreciate. My only purpose was to point out that, so far as we were aware, no definite success has yet been attained. If a greater success has been attained than we and the public are aware of, no one will be more gratified than myself. Pandit Malaviya spoke of the fact that those who were engaged in this inquiry to a large extent moved in the dark. My only purpose then was, and my only purpose now is, to suggest that there are means of having light thrown upon those subjects. There are means of supplementing inquiries by other inquiries equipped with greater resources than those to which Pandit Madan Mohan Malaviya referred. My only purpose now, therefore, is to repeat that I had no intention of disparaging those inquiries. Indeed, on this particular occasion, I am compelled to acknowledge that, owing to the extraordinary intricacy, the extraordinary gravity of the questions which are before the House in this motion, we ourselves have not as yet been able to arrive at any final conclusion, and I should be the last to attempt to contend that similar contentions raised by Honourable Members in another context are not worthy of respect and consideration.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I have listened, Sir, to the speech of my friend Sir Denys Bray once more on this question after a year, and I must say that it was a tragic one. It was a wonderful piece of prose from beginning to end. But one question in which this House is so vitally interested has not been answered, and that is, is there any chance of this House knowing when this question, which has been under your consideration for the last 5 years and more, is likely to be settled finally and whether a decision is likely to be announced at all? To that question there has been no answer as was the case a year ago in the debate.

Sir, I may have my faith shaken in the Government. My Honourable friend Sir Abdul Qaiyum may not have his faith shaken in the Government, but I can tell him one thing, that my faith still remains bright, firm and strong in my own people. That is the first thing that you have got to make up your mind about. Have you faith in your own people or not? Sir Abdul Qaiyum said that he would be satisfied with any kind of reforms. He said, after all, what is the good of a Council Government? But I do not agree with him. Sir, the struggle that the whole of India is making and the North-West Frontier Province is making, is not merely for the purpose of getting a little reform here and a little reform there. But what we are striving for is that there must be at any rate a beginning made in the North-West Frontier Province at once; even the small beginning which was recommended by the Bray Committee in 1922 will satisfy us, but I understand the Honourable Member, Sir Denys Bray, who sits here as representing Government, treats that Report as a scrap of paper

Sir Denys Bray: No, Sir.

Mr. M. A. Jinnah: You have treated it as a scrap of paper.

Sir Denys Brays: No, Sir.

Mr. M. A. Jinnah: You stand here and keep telling us that the matter is under consideration. I say that is an attitude which is least creditable to any responsible Government. You appointed your Committee, of which the Honourable Sir Denys Bray was the Chairman; there was a majority report, and that report up to the present moment, I repeat, is treated as a scrap of paper by Government.

Sir Denys Bray: No, Sir.

Mr. M. A. Jinnah: I say, Sir, it is for this House to decide and express its opinion whether the statement which Sir Denys Bray makes
1 P. M. is true. What have you done? Sitting on it.

Lala Lajpat Rai: Considering, hatching.

Mr. M. A. Jinnah: What is really the good of saying that the matter is under consideration? And, Sir, whenever the Government want to find an excuse to throw the blame on somebody else and shelve the matter because it does not suit them, they will readily pounce upon any excuse. The Government say this is the most formidable difficulty in our way. What is it? The Hindus are opposing it. Suddenly, Sir, the Government develops a particular kind of affection or love for the Hindus and their feelings and their sentiments.

Pandit Motilal Nehru: Especially for Lala Lajpat Rai.

Mr. M. A. Jinnah: And especially for my friend, Lala Lajpat Rai. I know Dr. Moonje will feel jealous of him. And, Sir, to the Muhammadans the Government says: "Well, we are your friends, we want to do everything we can, but these wicked Hindus are creating all the difficulties". And the Muhammadans readily believe it and my Honourable friend still has his faith in the Government, and he still keeps voting in the Government lobby every time. But, Sir, at any rate I hope to-day he will vote against the Government. Sir, it will be a record day, if he walks into the lobby with us. But, Sir, what is more, this bogey which has been trotted out and which was held up as the most formidable difficulty in the way of the Government giving effect to the recommendations of the Bray Committee, which is under consideration still, is now exploded, and I am very glad to say it has been exploded for the speech of my friend Lala Lajpat Rai. I think we learn these things, surely, if slowly. My Hindu friends have realised and my Muhammadan friends have realised now that this is the old old game which is continued with a certain amount of success. But, Sir, do not play this game. The sooner you give it up, the better it is in your interests and in our interests. Let us get to the issue itself. Let us deal with every question on its merits, and we know perfectly well, Sir, that in this country at any rate there are three parties, not to talk about the fourth party discovered recently by the Home Member, and these three parties which are interested in the future progress and the welfare of this country are the Hindus and the Muhammadans and the British. And it is no use your putting difficulties in the way of the progress of this country; and the sooner you realise this the better. You must make up your mind to help them, to let them co-ordinate, let them harmonise, and not play one against the other. Sir, now to-day what is the answer that is given by the Government? The answer is a very simple one. The matter is under consideration. Sir Denys Bray gave various statements of facts with which I have no quarrel as to what little improvements have been made in education and the establishment of hospitals and roads, and so on, and so forth. Sir, all these platitudes do not touch the issue. The simple question is this. We have got no answer from the Government, and there is no further argument that I have heard from Sir Denys Bray or from the Home Member which in any way has been put forward before this House to justify the delay in giving effect to the recommendations of the Bray Committee. Sir, I do sympathise with Sir Denys Bray because, as he himself said, his credit has been shattered, and I entirely agree with him, it is not only shattered but it is buried. And therefore he took shelter under the announcement which was made by Sir Alexander Muddiman, the late Home Member, who in effect said that the matter will receive consideration. To-day we had the honour of listening to the Home Member. The Home Member discussed entirely a different issue altogether and gave us no light or lead on the real issue before the House. Sir, is that the reason why the Home Member spoke on this debate, merely to discuss entirely extraneous matters? I ask those who represent the Government of India: What is your answer? Still under consideration. I suppose the Home Member and Sir Denys Bray at least have shown the courtesy to this House which in another place was not shown by the Under Secretary of State for India when a question was asked whether he could give a probable date when the executive and the judiciary would be separated. He said the matter was under consideration when he was reminded that a similar answer had been given 9 months ago, he said it might be before the end of the century. I take it

that that is what Sir Denys Bray means, that the decision will be announced to this House some time before the end of the century. I congratulate him, Sir, on making the speech that he has made and the answer that he has given.

Mr. Deputy President: The question is:

“That the Demand under the head ‘North-West Frontier Province’ be reduced by Rs. 100.”

The motion was adopted.

Necessity of strengthening the judiciary.

Nawab Sir Sahibzada Abdul Qaiyum: Sir, the motion which stands in my name runs as follows:—

“That the Demand under the head ‘North-West Frontier Province—Account VI—Administration of Justice’ be reduced by Rs. 100.”

We have discussed frontier matters, Sir, at such length that I do not propose to take much time of the House on this motion. All that I want to say is, Sir, that the Judiciary of the province is weak and very much understaffed. Though I may be accused of partiality, yet I do not want to bring in the question of the efficiency or inefficiency of the existing paid staff. I do not want to touch that. Personally I believe that our judicial officers as man to man, are not inefficient as compared with the judicial officers of other Provinces. But what I want to say is this Sir, that they are very few and that this staff has to be supplemented by honorary workers. Honorary Magistrates, Honorary Munsiffs and also by Honorary Benches, with criminal and civil powers. From time to time additional Sessions Judges are appointed in the Peshawar and Derajat Divisions. Some of them are there for the past several years and still they are not brought on to the permanent cadre. If additional Sessions Judges are working in Peshawar for years, I do not know why they should not be brought on to the permanent cadre of the province. I mean that there are occasionally several additional Sessions Judges, in Peshawar, besides the one permanently stationed there. At one time there were as many as three, I think, to cope with the heavy work and at present an honorary Sessions Judge has been working there to clear up the arrears of civil appeals. I do not know why economy should come into this particular department, the judiciary. Then, Sir, lower civil courts are very scarce in the province. To take an instance, the Munsiff's court at Mardan is 40 miles from my village and about 50 miles from the extreme border village in the Peshawar district, and a poor litigant with a claim say of Rs. 5 will, in the ordinary course, have to go to Mardan to lodge a suit in that court and the expenses to which he is put generally makes him give up his claim rather than go and lodge his suit at Mardan. The Sub-divisional Officers all over the Peshawar district and in several other districts of the province have been given full judicial powers. If the Deputy Commissioner of the district is not capable of coping with his judicial work and is entrusting that judicial work to the Sub-divisional Officers who are full of executive work and who can scarcely find time to devote to judicial work, it will be only in the fitness of things if additional judicial officers are appointed in each Sub-division. Sir, this is not the only feature of the situation. As I mentioned on the other motion, the Frontier

[Sir Sahibzada Abdul Qaiyum.]

Crimes Regulation is given a good deal of the judicial work and it will not be out of place if I say that it is in order to relieve the congestion in judicial courts that this Regulation is not infrequently resorted to. The procedure under that Regulation is very simple, and a judicial officer, in order to relieve himself of the complexities of the ordinary law generally orders the case to be referred to a Council of Elders to be dealt with under the Frontier Crimes Regulation. If we have a strong judiciary not very much overworked, perhaps they will be able to devote more time to these cases on the judicial side and not take the easier course of referring them to *jirgas*. Sir, I am not at all condemning the Frontier Crimes Regulation. It has got certain very useful sections in it. It is meant to relieve a good many complexities of the law, and if it is only properly used, I should think it can serve a very useful purpose. The two sections which deal with civil and criminal cases are sections 8 and 11 of the Regulation. In the former case the section says that if a dispute between parties is likely to lead to bloodshed or tribal troubles, as it used to do in olden days, the case may be referred to a Council of Elders for decision, rather than be dealt with in a court of law. Similarly, section 11 says that if it is expedient that the guilt or innocence of an accused be referred to a *jirga*, the Deputy Commissioner or the Commissioner may order the same to be referred to a *jirga*. In spite of the spirit of these two sections, cases in which there is no likelihood of bloodshed or cases in which there is no expediency involved except the pressure of work are referred to *jirgas*. I can see the reference of a civil suit under section 8 to a *jirga* if it concerns common property belonging to a large number of clansmen or when it is about some woman case or some other tribal matter. But why should cases of a small loan or other petty cases be referred for disposal to these *jirgas*? Why should not a man like a Naib-Tahsildar or a second class Munsiff be appointed to dispose of these cases? Similarly, in criminal cases, if it is expedient from some tribal point of view or from some other important point of view to refer it, then it should go there. But if, as is often the case, there are cases, which can be quoted from records, in which magistrates say that the evidence is not strong enough or clear enough for a judicial conviction and the cases should therefore be referred to Councils of Elders, that I say, Sir, is not right. It is unjust. It is not following the spirit of the law. The law was not meant for the reference of such cases to a *jirga*. But it is in these cases that section 11 is used. I would not deal with the matter at length. I only want to refer to these two sections. These sections, as now used, are only used for supplementing the judicial staff or for avoiding the procedure of the ordinary law. If I can find any reason for it, it is only this, that the judiciary is very understaffed and they have not the time to cope with their heavy work. So, the simpler law of the Frontier Crimes Regulation is brought into operation. I was told in reply to a question the other day, when I asked why honorary powers and such high class powers are given in such large numbers, that it had something to do with traditions not only in Asia but in Europe too. I recognise the strength of that argument. I do not grudge people the honour of possessing power as a sort of decoration or title or something of that sort. I have had the honour of possessing these powers for several years, but I have never exercised them because I thought it was not likely to give me a more comfortable life after my retirement and it was not going to do any good to the litigants either by relieving them of their worry or by doing away with their court-fees or reducing their other expenses. We are

paying the same court-fees or rather more than the Punjab, and I think we are paying the same revenue, and we are also paying all the other taxes at the same rate as in other parts of India, and why should our cases be dealt with in such a summary fashion by, I should call, hired people, honorary workers and magistrates for a day or a particular case in the case of *jirgas*? That is very unsatisfactory. As I have said, if it is an honour, let the honour be given in a different way. Let the honour be there, but the ordinary work and the actual exercise of the powers in the ordinary course should be done by paid servants. Let us see whether the numbers of these honorary workers and honorary munsiffs have increased since 1901, or even during the past eight years of the reforms. You will find that the numbers have gone up considerably, and that at present there are more honorary magistrates, with very great powers including honorary Sessions Judges, in that province than anywhere else in India. If this is really for the sake of economy, then I think it is a false economy and should not be resorted to. The judicial staff of the province should be strengthened, and if we have deprived the village communities of their powers of settling petty little cases in the village and if the Honorary Benches system has failed and if you do not provide them with magistrates and munsiffs with some powers near at home, you will only be depriving them of the assistance that should be given to them by the judiciary of the province. I must say once more that I do not object to the conferment of honorary powers on leading men. I do not grudge it. Let those powers be there, and, if necessary, let them be exercised for the settlement of disputes that the parties may like to be referred to the persons possessing such powers; but if you are going to introduce a sort of feudal system by the conferment of these powers on local leading men or chiefs, then the best thing is to fix some jurisdictional area for them and give them powers in that area so that they may exercise those powers more in the form of a hereditary right than to exercise them over people sent to their court from other parts of the province instead of sending these honorary magistrates to distant parts of the province to stay there as honorary workers and deal with cases coming to them from other parts of the province. That would be more in the fitness of things, if *izzat* and powers were to be given to local Khans.

Mr. Deputy President: Order, order. I would tell the Honourable Member that his time is already exhausted.

Nawab Sir Sahibzada Abdul Qaiyum: I will not say anything more, but I will say once more, most emphatically, that the judiciary and the judicial staff of the province is very understaffed, inadequate to cope with the hearing work of the province, and the sooner it is strengthened the better will it be not only for the poor litigants who are suffering, but also for Government, as the prompt and just decision of disputes is sure to reduce crime.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

Sir Denys Bray: Sir, in one way my Honourable friend Sir Abdul Qaiyum disappointed me. I hoped that in the course of a somewhat lengthy speech

[Sir Denys Bray.]

he might wander off the subject sufficiently to enable me to answer some of the slings and arrows that were hurled at me in the previous debate. Unfortunately he did not do so and I must confine myself therefore to the motion before me. Of his motion, I think I can make rather short work. Indeed I feel that his object is not so much to oppose me as to come to my support. He will have heard, I imagine, that judicial reforms in the North-West Frontier Province are actually on the anvil, that proposals have been received from the two Judicial Commissioners, have been examined by the Chief Commissioner and have been submitted to the Government. And I myself am only awaiting that sad day when the Session is over to proceed to the North-West Frontier Province and discuss the subject with the Judicial Commissioners and the Chief Commissioner. Not that I want him to understand that these reforms will give him full satisfaction, that they will meet all the arguments he adduced. That, I think, I should be rash in saying. But I do say this that they are of a fairly extensive character and if it is possible to put them into force they will bring great relief. At the same time, I felt, as I listened to my Honourable friend, that he was overstating his case. No one, for instance, in listening to his repeated reference to an honorary Sessions Judge could have imagined that the Sessions Judge in question is a retired officer from the Punjab who has been Sessions and Divisional Judge, I suppose, in the Punjab for a score of years—a highly qualified man whose services we are lucky to secure. Then again he referred to the scarcity of civil courts and pleaded, as I understood, the delay in proceedings in the North-West Frontier as a consequence. But the Civil Justice Committee had this to say on the subject of the Frontier Province:

“There is nothing to be said about this province in respect of delay. for there is no delay. The cases here are decided more speedily than anywhere else in India, * * * We do not suggest any alterations in the present system or procedure.”

My Honourable friend had remarks to make on the subject of the Frontier Crimes Regulation. On this subject I should like to quote an authority which was hurled at my head more than once this morning, an authority which on this particular subject at any rate I regard with the very greatest respect:

“To repeal its civil sections would be to inflict grave hardship on the Pathans who rely on them for a cheap and expeditious settlement of their disputes by a *jirga*—the Pathan equivalent of *Panchayat*—according to their ancient tribal custom. To repeal the criminal sections would be to undermine the forces of law and order and to deprive the Hindus in particular of one of their greatest safeguards in a land where passions are hot, blood feuds are endemic, legal evidence is exceedingly difficult to obtain and refuge from the arm of the law is close to hand across the border. To repeal the trans-frontier sections would be to paralyse our whole system of trans-frontier control.”

Maulvi Muhammad Yakub: Adopt all the recommendations contained in this valuable report.

Sir Denys Bray: I cannot derive anything from the interruption to which I have to answer.

Maulvi Muhammad Yakub: Why do you attach so much importance to one part of the report, while you have not given effect to the other parts of the report for four or five years.

Sir Denys Bray: Personally I attach great importance to nearly every word in this report. In brief, I am myself personally grateful to my Honourable friend for his motion. After I return from the Frontier, having discussed matters with the Judicial Commissioner, it will strengthen me in my struggle, not unfortunately with Sir Basil Blackett, but with his successor. His successor may for all I know be the least hard-hearted man in the world. But my impression is that in such matters one Finance Member is very much like another.

Mr. President: Mr. Kabeer-ud-din Ahmed.

(Mr. K. Ahmed did not want to get up and speak.)

Nawab Sir Sahibzada Abdul Qaiyum: Sir, in view of the explanation given by the Honourable Member of the possibility of his visiting the North-West Frontier Province and taking up this question, I beg leave to withdraw this motion.

Mr. President: Is it the pleasure of the House that leave be given to Sir Abdul Qaiyum to withdraw his motion.

(Cries of "No, no.")

Mr. President: The question is:

"That the Demand under the head 'North-West Frontier Province' be reduced by Rs. 100."

(While the division bell was ringing, Nawab Sir Sahibzada Abdul Qaiyum rose and said: I do not know what was the fate of the former motion, Sir.)

Several Honourable Members: That was carried unanimously.

The Assembly divided:

AYES—53.

Abdul Matin Chaudhury, Maulvi.
 Abdullah Haji Kasim, Khan Bahadur
 Haji.
 Acharya, Mr. M. K.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Chetty, Mr. R. K. Shanmukham.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Malaviya, Pandit Madan Mohan

Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Rahimtulla, Mr. Fazal Ibrahim.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shah Nawaz, Mian Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. Siddheswar.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

NOES—44.

Abdul Aziz, Khan Bahadur Mian.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Dalal, Sardar Sir Bomanji.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.

Irwin, Mr. C. J.
 Jowahir Singh, Sardar Bahadur
 Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sams, Mr. H. A.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Singh, Raja Raghunandan Prasad.
 Taylor, Mr. E. Gawan.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.

Nawab Sir Sahibzada Abdul Qaiyum: Sir, I do not want to move my motion*. (Laughter.)

Mr. President: The question is:

"That a reduced sum not exceeding Rs. 98,70,800 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'North-West Frontier Province'."

The motion was adopted.

DEMAND No. 38.—ARMY DEPARTMENT.

The Honourable Sir Basil Blackett: Sir, I move:

"That a sum not exceeding Rs. 5,71,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Army Department'."

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Sir, I move:

"That the Demand under the head 'Army Department' be reduced by Rs. 5,70,000." (For obvious reasons.)

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): On a point of order, Sir. If the reasons are obvious, need the Honourable Member address us?

An Honourable Member: There is no point of order in it.

"That the Demand under the head "North-West Frontier Province—Account XII Education"—be reduced by Re 1. (Inadequacy of facilities for higher education in the North-West Frontier Province.)

Diwān Chaman Lall: I take it that the obvious is not obvious to my Honourable friend Sir Walter Willson. (Laughter).

I am sorry to find that to-day we shall not have the privilege of seeing His Excellency the Commander-in-Chief in this House to listen to this debate. On the last occasion, when I moved a similar cut last year, His Excellency the Commander-in-Chief was in his seat and it was in the fitness of things that he should have been there; but I am sorry that to-day His Excellency is not present to listen to the debate on this very important question. No doubt His Excellency may have reasons of his own for not being present. I personally should have liked His Excellency to be present in the House on the occasion of this debate.

Now, Sir, what are the reasons for which I move this cut?

An Honourable Member: They are obvious.

Diwan Chaman Lall: The reasons, as Colonel Gidney says, are obvious.

Lieut.-Colonel H. A. J. Gidney: I did not say it; somebody else said it.

Diwan Chaman Lall: At any rate they are very obvious to my friend Colonel Gidney and I hope he will support me in my demand that I am making before the House. Now, Sir, His Excellency the Commander-in-Chief speaking in this House last year on a similar occasion said: "There is a saying: 'Happy is the nation that has no history'." May I paraphrase that and say "Happy is the nation which has no army", and I wish that nation were India, because I find that out of every Rs. 2/6 that is collected for the revenues from the tax-payer in this country over one rupee goes for military expenditure. I do not know, as I said on the last occasion, of any parallel in the history of modern times of any nation which spends as much money as that on purely defensive measures and that too in peace time. Sir, we have urged time and again that military expenditure should be reduced. We have had a Retrenchment Committee and great play has been made with the recommendations of that Committee. It has been said that that Committee recommended that the expenditure should come down to 57 crores and that steps should be taken if prices fall to bring it down to 50 crores. Now, Sir, what do I find in the expenditure for this year? I find that the only reduction in the military budget happens to be the reduction in the size of this volume which has been brought down to an octavo. That is the only reduction I find in the Military Department this year. It is stated that the military expenditure in this country is going to be 55 crores. I take it that there are various other items which have not been taken into consideration. I want to refer to just one or two. We must, in reckoning military expenditure, take into consideration the loss that this country incurs in the matter of strategic railways. There is a loss this year of nearly two crores, certainly over one and a half crores. Then we have the case of the Bombay Reclamation Scheme. Two crores are to be spent on that scheme. That also should have been taken into account. Then we have the expenditure on Watch and Ward in the North-West Frontier Province which, I take it, is of a purely military character which amounts again to five lakhs. So that in reality we have a military budget of somewhere near 60 crores out of a total revenue of 133 crores. Now I leave it to the mathematicians in this House to reckon the percentage of expenditure for the Army in relation to our income.

[Diwan Chamau Lall.]

It comes to somewhere about 47 per cent. of our total revenue. I consider that that is an expenditure which is not warranted by the income of this country, not warranted by the lack of prosperity of this country, not warranted by the political or military situation in the country. Now, Sir, take the case of Canada. Canada has a frontier which has to be defended, but what do we find in Canada? We find in Canada the position is that the expenditure for defence, both naval, air, and land defence, is not more than four crores. The expenditure for Australia, which also has got to be defended because of the possibility of naval attacks, say, from Japan, the expenditure is not more than four crores or somewhere between four and five crores, all defences included. And yet India has got to be the milch cow of the British Empire. In India, the expenditure is 60 crores in a revenue budget of 133 crores. In my opinion it is a criminal thing for the Government of India to-day to keep up the military expenditure at such a high level. What do we find in 1914? This country was spending 33 crores. In 1910 we were spending 28.66 crores for our military defence; but in 1918 we jumped to 70 crores; in 1920 we jumped to 91 crores, in 1921 to 94 crores. Then it was gradually brought down to 77 and 71 crores until we come to the present figure of 55 crores or in reality 60 crores. Now, Sir, I would like to know what justification there is for this military expenditure. His Excellency the Commander-in-Chief in his very able speech—because for the first time His Excellency was in touch with reality as he was not in touch with reality on the last occasion—has gone at great length into the discussion about military expenditure and tried to make out that the Army is really a nation-building department and that all that expenditure is justified. But I do not find one word in his speech, not one word in the speech of His Excellency the Commander-in-Chief which touches the real problem, the real problem being that this military expenditure for the Army in India is dictated purely for Imperial reasons and by Imperial exigencies; it is not dictated by any desire to secure the frontiers of India against foreign aggression. If my learned friends challenge me in regard to that statement I am quite prepared to substantiate that statement. They ought to know their own history. They will find that it was not so very long ago—several years ago no doubt; but the policy was the same, a policy, namely, that India must provide an army which must be not only on a peace footing, but always on a war footing, because at any time the Indian Army may be called upon to serve the needs and purposes of Great Britain in every centre of the world—that the Government of India protested. Now, what do we find? This is an extract that I am going to read from a despatch sent by the Government of India to the Secretary of State:

3 P.M. that statement I am quite prepared to substantiate that statement. They ought to know their own history. They will find that it was not so very long ago—several years ago no doubt; but the policy was the same, a policy, namely, that India must provide an army which must be not only on a peace footing, but always on a war footing, because at any time the Indian Army may be called upon to serve the needs and purposes of Great Britain in every centre of the world—that the Government of India protested. Now, what do we find? This is an extract that I am going to read from a despatch sent by the Government of India to the Secretary of State:

"Millions of money have been spent on increasing the Army in India, on armaments and on fortifications to provide for the security of India, not against domestic enemies, or to prevent the incursions of the warlike peoples of adjoining countries, but to maintain the supremacy of British power in the East. The scope of all those great and costly measures which is far beyond Indian limits and the policy which dictates them is an Imperial policy. We claim, therefore,"

—this is the Government of India when it was more liberal than it happens to be to-day—

"that in the maintenance of British forces in this country a just and even liberal view should be taken of the charges which should be legitimately made against Indian revenues."

Now, Sir, that was the protest made by the Government of India at a time when the expenditure for military purposes was probably not more than 14 crores. What are we to say about the Government of India to-day, when that expenditure has mounted from 14 to nearly 60 crores? Is there any word of protest made against this policy of keeping a huge Army in India serving the purposes of Great Britain? Not one word is said by the Government of India on the subject, and it is left to us, representatives of the people in this House, to make all necessary protests in this behalf. Now, Sir, I find that the policy, as I take it, is a policy, pure and simple, of keeping a huge standing army in this country, not only for the purpose of keeping down the people of India in order to bolster up the Government of Great Britain in India by the force of bayonets, but a policy which means that at any future time the Indian Army can be used for extra-territorial purposes which are not Indian in character at all but Imperial in character. If that is the policy, I submit that no Indian representative of the people will be in a position honestly to vote for the Government in support of that policy. No Indian with any self-respect ought to be found voting and siding with the Government on an issue of this magnitude because it means merely that you are taking the bread out of the mouth of the hungry people of this country in order to support your own schemes, which are Imperial schemes. It is no benefit to India but it is a benefit to the British Empire which dictates the military policy of this country. I am sorry to use that expression; but it is the truth; and if any man gets up and says on the floor of this House that it is not the truth, I would like him to substantiate that statement. Here we have the verdict of the Government of India themselves; we have the verdict of men like Sir Dinshaw Wacha, one of the greatest unofficial experts on military finance that we have in this country, and we have the verdict of many public men on this subject, that the Government of India are utilising our resources not for the benefit of the people of India but for the benefit of Great Britain.

What, then, Sir, is the real explanation of this huge military expenditure in this country? What is the basis of it? The basis can be seen when the Leader of the House, Pandit Motilal Nehru, got up the other day and referred to Soviet Russia and said that Soviet Russia had increased her military expenditure by 50 per cent. because of the great fear that Soviet Russia had of the designs of Great Britain and certain other Powers against her. I read in the newspapers—I happened not to be here on that occasion—that Honourable Members opposite raised a laugh when that explanation was given. I want to ask Honourable Members opposite is it or is it not a fact that that is the fear working in the minds of Soviet Russia? Is it not a fact, Sir, that His Excellency the Commander-in-Chief himself has on more than one occasion referred to that danger—what he called the danger of a Russian invasion? Is it not a fact? If that is so, I submit that it is obvious that if Soviet Russia has increased her armaments, she has increased them because she is afraid of the circle of hostile nations surrounding her. But what danger is there from Soviet Russia to us, which should force us to keep a huge standing army in this country? Is it not a fact, as I have already stated on the floor of this House, that the most pacific country to-day is Soviet Russia? Is it not a fact that Soviet Russia,

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apart from her propaganda work with which I am not concerned here, is the only country which has honoured her pledges in regard to self-determination of other subject nationalities? Can Honourable Members representing the British Government over there say that Great Britain has honoured her pledges in regard to the self-determination of subject nationalities? Take the case of Persia. What did Soviet Russia do with Persia? They cleared out of Persia. Take the case of Afghanistan. What have they done in Afghanistan? Are they menacing Afghanistan? Is Afghanistan at the mercy of Soviet Russia? And if Soviet Russia was a great danger, would not Afghanistan have been wiped out by Soviet Russia? I want to ask Honourable Members, are they merely keeping this bogey before us in order that they should frighten us into giving them enough money to keep a huge standing army in India? I say that under the circumstances we, who know something about national and international affairs, are not going to be misled by this bogey that is dangled before us.

Sir, there is not much more that I want to say in regard to this expenditure, except merely this, to draw the attention of Honourable Members to the brief details of it. We have now 8 crores which we are paying out in pensions; we have 19½ crores which we are paying for the maintenance of the Army; over 7 crores we are paying for the administrative services; over 2 crores for Army Headquarters staff, etc. And we are paying 2¼ crores for hill stations, conservancy and anti-malarial charges. When His Excellency the Commander-in-Chief referred to these charges, he said that 2 lakhs were spent on anti-malarial work and 17 lakhs on sanitation, leaving about 2½ crores for providing the men—the British soldiers of course—with hill stations. The Indian soldier does not matter much—he can rot in the plains; but it is the British soldier who has got to go to the hills; and every British soldier costs four times as much as the Indian soldier. (*An Honourable Member*: “Seven times.”) I am giving slightly older figures; it may be that it is six or seven times; but certainly he used to cost four times as much; if it is seven times then my argument is still more fortified. What we ask is this: Will you or will you not look at it from this point of view, that the demand in India is that the Indian Army should be a national Indian Army? How are you going to get about achieving this end? There are two ways of achieving it. One was suggested by my Honourable friend, Mr. Jinnah, when he sat on the Sandhurst Committee and the members of that Committee supported him in his demand. The other is to be found in the system which is in vogue in Australia where you have a national citizen army with a very small standing army, where every citizen is trained to be a soldier. But you will not trust the people of India; and how can we expect you, when you will not trust us, to hand over the national army to us by adopting the same system as in Australia? You will not do it. And you will not do the other thing that my Honourable friend Mr. Jinnah has asked you to do, that is, to Indianise the Army within a period of a certain number of years.

What is it that we get under the scheme that was announced by His Excellency the Commander-in-Chief? Out of 6,998 British commissioned officers that we have now, we are going to get the great advantage of 10 more Indians than we have got at present. There are

nearly 7,000 officers now in the Army. We get a right to have 10 more Indians as officers holding the King's commissions, and we are going to get five more of the Viceroy's commissioned officers. Working on that basis, it is going to take in the one case 350 years to Indianise the officer cadre in this country and in the other case it is going to take 483 years to Indianise the officer cadre in this country; and His Excellency the Commander-in-Chief says this is the great boon of Indianisation that we are going to receive in this country. Is this Indianisation? This is not Indianisation. This is throwing dust in the eyes of the public. This is admittedly done in pursuance of a policy which is dictated, not by the Government of India or by the people of India, but by the War Office. As is well-known, from the year 1858 the Indian Army has been a mere adjunct of the Army of Great Britain. After the amalgamation scheme of 1858 it became but a force standing to the dictates of Great Britain and of the War Office. Are we going to pursue that policy in the future or are we going to demand a clear-cut policy from the Government—a clear-cut policy which means that as soon as possible the Indian Army must be Indianised? One thing that was asked for you are not going to give us, namely, the Indian Sandhurst. You do not want to give us that. Canada has got a Sandhurst of its own; Australia has got a Sandhurst of its own; but, no, India must not have a Sandhurst of her own because—because—because it is a difference in colour: it is a difference in colour and nothing else. Moreover, the great affairs of the world cannot be carried on unless and until India is made the milch cow not only for the purposes of providing man power to Great Britain but also for the purpose of providing money for Great Britain. It is these two things that matter to Great Britain; and all schemes that you have of Indianisation will be worked in order to postpone the evil day of granting self-government to this country as long as possible. That is the main object of the policy underlying the announcement made by the British Government and by the Indian Government.

Now, Sir, I have only one word more to say, and it is this. It has been urged on many occasions that India must support a huge army because of internal disorders and internal trouble and also because of the fear of foreign aggression. I submit that I have met that argument and I say that does not hold water for one moment. It has further been alleged that the Indian Army is just sufficient at the present moment for the purpose of keeping India safe. I submit, Sir, that is not true. The Indian Army at the present moment is heavily weighted against us, the Indian Army is at the present moment on such a scale that we cannot support that scale. We who are starving would much rather live than see that this Army is well fed and kept as an adjunct to the British Army. At the present moment, when the average income of an Indian is so low that even a newspaper like the *Pioneer* has to assert that in the district of Gaya there are a million people who get only one meal a day, we have to spend 60 crores of our revenue for the purposes of supporting a huge army in this country. I submit it will be criminal on our part if we support a policy of this character. I have only to remind Honourable Members that this policy is a very old policy pursued by Great Britain. It goes back to the time of Edmund Burke. Burke in his speech on the impeachment of Warren Hastings spoke of the English nation. This is what he said:

“Therefore, the English nation in India is nothing but a seminary for the succession of officers. They are a nation of placemen: they are a republic Commonwealth, without

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a people; they are a State made up wholly of Magistrates. The power of office, so far as the English nation is concerned, is the sole power in the country the consequence of which is that there is a kingdom in India of Magistrates."

And I would add that there is a Kingdom in India not only of Magistrates but of Army Officers of every class who cannot be found a place in England and who must be found a place here. That is the sole reason why for training purposes a foreign British Army is sent out here to get pensions at our expense and also to get training at our expense. I submit, Sir, that nothing can be more iniquitous than a system of this nature. Under these circumstances, no Member of this House who has come here by the elected votes of the people, should be found voting for a Grant of this nature which merely means this, that we are censuring the Government for the policy they are pursuing, a policy which is detrimental to the best interests of the people of India.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadian Rural): Sir, when we expressed our dissatisfaction the other day with the announcement made by His Excellency the Commander-in-Chief regarding His Majesty's decision on the Skeen Committee's Report, we were told that we had made up our minds in advance and had come here determined to be satisfied with nothing that Government might concede. We were also told that this was a most delicate matter in which it was possible for us only to advance cautiously. We were further told that the supreme interests of India were at stake and that it was therefore necessary that every advance should be made on the basis of proved knowledge and experience. Now, Sir, those who charge us with impatience and accuse us of being in a hurry to take over military control from the Government of India seem to me to be strangely oblivious of the history of the last 60 or 70 years, and my words in this matter will be specially addressed to my non-official European friends whose votes cannot be commanded by the Secretary of State. They can allow their convictions to have full play and I hope therefore that the facts which I am going to place before them will convince them that it is not we who are in a hurry but that it is the other party which has practically refused to move during the last 60 or 70 years.

It is a well known fact, Sir, that when the Army of India was reorganized in 1858, only seven British officers were attached to every infantry or cavalry regiment. This decision was examined several times by the Secretary of State and it was every time regarded as satisfactory. It was also admitted that the Viceroy's commissioned officers had, in spite of the faulty method of selection, given every satisfaction and performed their duties in an almost unexceptional manner. One would have thought, Sir, that as time advanced, larger and larger opportunities would be given to Indians to occupy positions of trust and responsibility in the army of their own country. But we know that, while the number of European officers has gone on increasing, the position of Indians has not advanced at all. Indeed, every advance in the number of European officers in an infantry battalion or a cavalry regiment meant a corresponding deterioration in the position of Indian officers. To-day there are about 12 or 13 officers in an Indian infantry battalion, and I believe about 14 in a cavalry regiment. When the number of officers was less, Indian officers could command squadrons and companies. But as far back as 1894 General Chesney, who

was Military Member of the Viceroy's Executive Council, was compelled to observe that :

“ in the cavalry the position of a native officer had even gone back, for whereas formerly he could rise to the command of a squadron, these squadrons are now commanded by British officers, the most junior of whom takes precedence over the oldest of native officers. So far, then, as the army is concerned the Queen's Proclamation on assuming the direct government of India is a dead letter.”

And in regard to the infantry, Mr. Gokhale complained as far back as 1906 that Indian officers had been deprived even of the command of companies. We thus see, Sir, that from 1858 right down to 1918 the position of Indians instead of advancing became steadily worse. They were deprived even of the command of squadrons, and of companies which they could formerly command, and this was not due to the fact that there was nobody in the Government of India to draw the attention of Government to the need for throwing open responsible military offices to Indians as had been done in the case of the civil services.

The question was raised several times in the eighties—I believe three times—by General Chesney, but he was every time opposed by Lord Roberts. The argument of Lord Roberts was that it was wrong to do anything which would place Indians on the same footing as British officers.

“For the present at any rate ”

—he said—

“the grant of such commissions to Indian gentlemen as would necessarily place them on the same footing as British officers, is in my opinion much to be deprecated.”

Thus we see, Sir, that purely racial and political considerations stood in the way of Indians being given any responsible positions in the military administration of their country and even led to a deterioration in the position which they formerly occupied. In 1918 it was for the first time announced that 10 vacancies would be reserved annually for Indians at Sandhurst. Now it was thought that the number would be increased very soon when the War was over, and the constitutional position of this country was reconsidered. But unfortunately no change took place in this respect. In 1921 the Assembly passed a number of Resolutions, some of them dealing with the establishment of a Military College in India and some with the admission of Indians as officers holding the King's Commission. Now, those Resolutions, both those relating to the appointment of Indians as officers and those relating to the establishment of an Indian Sandhurst, were accepted by His Excellency the Commander-in-Chief. Subsequently, Sir, the Military Requirements Committee was appointed. Its report has never been published but, so far as we can gather from the brief reports that appeared in British newspapers, we understand that not merely were both these proposals accepted by the Committee but that it proposed that in about 10 or 15 years Indians who were to be recruited in the beginning at the rate of 25 per cent. should be recruited in equal proportions with Europeans. Even earlier . . .

Mr. President: Order, order. Will the Honourable Member tell the Chair whether he is speaking on Diwan Chaman Lal's motion or is moving his own motion?

Pandit Hirday Nath Kunzru: No, Sir, I am not moving my own motion. It would be perfectly unnecessary for me to do so.

Mr. President: So the Honourable Member is speaking on Diwan Chaman Lall's motion?

Pandit Hirday Nath Kunzru: Yes, Sir.

Mr. President: So the only motion before the House is Diwan Chaman Lall's motion at present.

Mr. M. A. Jinnah: Sir, I would like the point to be made still clearer. The Honourable Diwan Chaman Lall's motion is "for obvious reasons" I do not know what that means.

Pandit Motilal Nehru: He explained that.

Mr. M. A. Jinnah: I do not want his explanation. If the Chair rules that "for obvious reasons" means the policy and expenditure, then, Sir, we may be in a position to decide what we should do.

Mr. President: The Chair cannot explain anything. The Honourable Member has made half an hour's speech in which he must have explained his meaning.

Lala Lajpat Rai: He did say, the policy and expenditure, both.

Mr. President: The Honourable Member was here when Diwan Chaman Lall spoke.

Mr. C. S. Ranga Iyer: He made it very clear.

Pandit Hirday Nath Kunzru: Sir, I am speaking on this motion because I thought this was the only opportunity for giving expression to my views in regard to the Army in India generally.

Mr. M. A. Jinnah: Sir, may I rise to a point of order? May I know if any other cut will be taken up?

Mr. President: If this motion is defeated, other cuts will be taken up certainly.

Mr. M. A. Jinnah: Not otherwise?

Mr. President: Except those which relate to the general policy.

Pandit Hirday Nath Kunzru: Are we going to have, Sir, a discussion of general policy again after this motion has been disposed of? However, Sir, I will express my views at this stage. I was probably saying, Sir, that the Military Requirements Committee, so far as we know, accepted both the establishment of an Indian Sandhurst here and a progressive increase in the proportion of Indian recruitment till Indians were recruited in equal proportions with Europeans in about 10 or 15 years. But it is not merely, Sir, in 1921 that the question of the formation of an Indian Sandhurst was discussed by the Government of India. It is stated, Sir, in Sir George Arthur's Life of Lord Kitchener that:

"In 1904 there was propounded the establishment of a military school for candidates for direct commissions in the Native Army. The scheme was submitted to Commanding Officers for their opinion, and referred to a conference of Lieutenant-Generals in 1905, when Kitchener boldly pronounced that the dread of mutiny was an anachronism and must not hinder efficiency. The time had come to open certain doors to native

officers, to increase their responsibility and to raise their status. The Generals agreed *nem con*, and voted for a military school at which both candidates for direct commissions and non-commissioned officers selected for accelerated promotion, could receive proper professional training."

And now, Sir, we have the Report of the Indian Sandhurst Committee presided over by the Chief of the General Staff, the essence of whose recommendations is the establishment of an Indian Sandhurst and progressive Indianisation so that not later than the year 1952 half the total cadre of officers should come to be occupied by Indians.

Now I would ask my Honourable friends who advise us to be patient and to be wary in regard to military matters, whether we have not waited sufficiently long. Would they have exercised all the patience that they are preaching to us, had they found that for 60 years, notwithstanding their repeated demands, not merely was nothing done but every step taken meant a set-back in the position of Indians? Would they have asked for a further examination of the matter, had they found that the questions now under discussion had been the subject of repeated consideration during the last 40 years? We see that the question of the establishment of an Indian Sandhurst has been recommended not merely by the Skeen Committee, not merely by the late Commander-in-Chief, but by a military personality even greater than that of Lord Rawlinson, namely, Lord Kitchener. As regards the progressive Indianisation of the Army, so that within a measurable length of time at least half the number of officers might be Indian—as regards this question too, the highest military authorities have repeatedly expressed their views. How long, Sir, are we going to wait and what is the amount of consideration that is to be given to this question? I am aware, Sir, that Lord Rawlinson went back on his previous views in this House and said in 1925 that he was not in a hurry to establish an Indian Sandhurst. But it is only fair to point out that he expressed this view after His Majesty's Government had turned down the recommendation of the Indian Government for the establishment of a first grade military college in this country.

His Excellency the Commander-in-Chief told us the other day with an air of great generosity that Indians were now being given for the first time opportunities which hitherto had been denied to them and that it would rest with them in future to prove their capacity for a further advance. Now, Sir, what is it that has been given to us? There is to be no military college. The demand for progressive Indianisation has been rejected. All that has been done is that the number of vacancies to be reserved for Indians annually at Sandhurst has been increased and Woolwich and Cranwell have been opened to them. The number of vacancies may go up to 37. In the beginning it will be 37. But I understood, Sir, from what His Excellency the Commander-in-Chief said that the number of Indians who will be admitted to Woolwich and Cranwell is to be 6 in each case for the present. Perhaps, when an Air Force Unit, an Artillery Unit and an Engineer Unit have been formed, the rate of recruitment will go down. The Skeen Committee informs us that there are about 3,200 officers in the Indian section of the Army in India. The rate of recruitment, it tells us, has never been scientifically calculated, and the only figure of authority placed before the Committee with regard to the annual recruitment was 160. Now, I am aware, Sir, that direct recruitment at present is appreciably less. But it does not matter to us, Sir, in what manner the recruits required for the Army are taken annually, whether direct recruits are taken

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or whether surplus officers are made permanent. In any case, the figure for the total annual recruitment is 160 or thereabouts. Even if we get every year 37 vacancies and they result in giving us 37 officers annually, we should still, if we proceed on the basis of the figure given to us by the Skeen Committee, be far short of having realised the demand put forward by the Assembly in 1921 that 25 per cent. of the annual recruitment should be Indian to begin with, and if this maximum number is reduced after the Artillery, Engineer and Air Force units have been formed our proportion will accordingly go down. In this connection, Sir, I should like to ask what the position of Indians will be with regard to the Tank Corps, and I put this question specifically because we were told by Mr. Burdon in 1925 that Government did not intend to give training to Indians for admission to the Tank Corps till they had fully qualified themselves for infantry and cavalry work. I should also like to know whether the Signal Corps, which is known as the Indian Corps of Signals, is an Indian Unit or whether it is a part of the British Army. Can Indian officers be admitted to it or not?

Lieut.-Colonel H. A. J. Gidney: No.

Pandit Hirday Nath Kunzru: I will now, Sir, pass on to another point and a very important point, which was raised incidentally by His Excellency the Commander-in-Chief. As Mr. Jinnah pointed out the other day, till His Excellency spoke, we thought that after the 8 units which are going to be Indianised had been supplied with the necessary officers according to the present scale, Indian officers would be employed in other regiments and battalions—in other units. But His Excellency the Commander-in-Chief told us that the policy of the Government was to do away with the Viceroy's Commissioned Officers and to substitute for them officers holding the King's Commission. We were told that this was in accordance with the plan obtaining in His Majesty's Army. This may be perfectly true, Sir, but a question of this importance and magnitude, I thought, required separate consideration. Both from the military and the financial point of view it was desirable that it should be considered on its own merits. But here this announcement has been made to us in an incidental way as if it were a small thing which did not vitally affect the Army or concern this House. I would give some figures to enable the House to realise the magnitude of the question. We have slightly over 4,800 Viceroy's commissioned officers, and I think only about 3,200 officers holding the King's Commission in the Indian section of the Army. If the policy announced the other day by His Excellency the Commander-in-Chief is going to be given effect to, it means that the number of King's commissioned officers is to be increased from 3,200 to about 8,000 ultimately. I do not know, Sir, what the financial cost of such a proposal would be. It may be that this is in accordance with the plan in the British Army. But considering the moment at which this announcement has been made, it is impossible to avoid the suspicion that the number of commissioned officers is going to be increased in order to prevent the number of European officers from going down as far as possible and to delay the time when Indians as superior officers might command mixed regiments and European officers would have to take their orders from Indian officers.

Just one or two words more, Sir, before I sit down. His Excellency the Commander-in-Chief speaking in favour of the decision not to establish

an Indian Sandhurst asked us to bear in mind the advantages to an Indian boy in his subsequent career of receiving training at Sandhurst. Now, Sir, this is a point which has been admirably dealt with by the Skeen Committee. The standing armies in Canada and Australia are much smaller than our standing army. Therefore, the number of officers required there is bound to be much less than the number of officers required in India. It is further obvious, Sir, that any newly established institution will be at a disadvantage with the British Sandhurst. Nevertheless, this is what the Skeen Committee says on the subject:

"We have before us the examples of the Kingston and Duntroon Military Colleges in Canada and Australia, respectively, where similar disadvantages have been neutralised, and a high standard of efficiency has been achieved; and we wish to make it clear that our recommendation is subject absolutely to the condition that no pains are spared to place the machinery of the Indian Military College on the highest plane of efficiency which India can attain."

His Excellency the Commander-in-Chief, therefore, put forward no argument which had not been already considered and met by the Skeen Committee.

As regards His Excellency's contention that the number of Indian officers might be increased in future as greater material offered itself, that also had been considered by the Skeen Committee. The Committee, referring to the educational opportunities in India, said that it was not necessary to wait till the entire system of Indian education had been overhauled. On the contrary, it observed:

"The Royal Military College at Dehra Dun, which has been in existence for only 4½ years, has shown that even average Indian boys, given proper facilities, can pass with credit not only into Sandhurst but out of it."

Now, any one who has gone and seen the Dehra Dun College will be able to testify from his own experience that the material received by that College is in no way superior to that received by a decent high school in any province. All the difference that is made in the course of 2 or 3 years is made by the training that is imparted there. You can see the boys growing up there like plants before your eyes. You see boys in the first year and you see boys in the 4th or 5th year, and you can at once observe the difference for yourself. For this reason the Committee recommended that the Military College at Dehra Dun should be expanded so as to provide accommodation for about 250 or 300 students. If this was not enough it was in favour of establishing another college on the same model, but it never asked us to wait till the entire educational system of India was reorganised. The question was merely one of expanding the accommodation at Dehra Dun and of extending the facilities that are already available there.

Mr. M. A. Jinnah: And co-ordinating other institutions.

Pandit Hriday Nath Kunzru: My Honourable friend, Mr. Jinnah, says, "and co-ordinating other institutions". I entirely agree. The Skeen Committee pointed out that while in other countries the educational system had been definitely adapted to the need for turning out capable military officers the Indian educational authorities have had no encouragement given to them to follow a similar plan as there were no similar openings for which to train their boys.

The speech of His Excellency the Commander-in-Chief bristles with points to which the greatest exception can be taken, but I will pass on now from the consideration of the decisions with regard to the Skeen Committee's report to the question of expenditure which I shall touch upon

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very briefly. One of the recommendations made by the Inchcape Committee was that the terms of enlistment of Indian soldiers should be altered to include five years' service with the colours and ten years with the reserve is required, and with regard to the effect of this proposal the Committee observed:

"If this proposal is adopted, we consider that the peace establishment of a battalion should be gradually based on a cadre basis which might ultimately be fixed at, say, 20 per cent. below the war establishment."

The Committee added:

"The proposal to increase the period of enlistment with the colours would also ultimately reduce the number of recruits required annually. This, in turn, would reduce the establishment of the training battalions and the strength of the recruiting staff and result in considerable further economy."

A blue book was circulated to us last year showing the extent to which the recommendations of the Inchcape Committee had been given effect to. It was stated there that the recommendation with regard to the alteration of terms of service of Indian soldiers so as to include colour and reserve service had been, generally speaking, given effect to, but we have not so far been told whether there is any intention of carrying out the other part of the recommendation which relates to a reduction of 20 per cent. in the peace establishment of a battalion. I raised this question last year, but neither His Excellency the Commander-in-Chief nor our genial Army Secretary vouchsafed any answer to it.

The other question which I wish to raise in connection with expenditure is that relating to capitation charges. The subject has been under discussion with His Majesty's Government for a number of years. The Inchcape Committee stated that the capitation rate had been provisionally fixed at £25, and with regard to the future it said that the most equitable arrangement would be:

"to allocate the cost to the War Office of training recruits between the India Office and the War Office *pro rata* to the normal colour service in each country, subject to a due allowance for the potential value to the British Government of returned men available for the reserve."

The present system, according to which the British Army is recruited, is maintained purely on account of considerations which apply to Great Britain. In a lecture delivered by Major General Sir Edmund Ironside at the London School of Economics and Political Science in 1926, in which he explained the reasons not merely for having a short service army but for restricting extensions of service, he said:

"The reason for restricting extensions of service is, of course, that we do not want a long service army and we do want a Reserve."

Well, if you maintain the present system in order to have a reserve for the British Army, it is only fair, as the Inchcape Committee pointed out, that a part of the cost of training the soldiers should be borne by the British Exchequer. The British Army is maintained not because the requisite number of Indians of a fighting class cannot be obtained in India, but for Imperial reasons, and Indians are therefore justified in demanding that the entire cost of training these soldiers should fall on the British estimates. According to the estimates that have been supplied to us we have to pay excluding the Air Force 1 crore and 87 lakhs on account of capitation charges to His Majesty's Government. We have

also to incur a nett cost of 48 lakhs in connection with Indian troops. We thus see that over and above the difference in the pay of the British and Indian soldiers we have to pay about 2 crores and 35 lakhs because of the recruitment of a portion of the army from England. I do not know whether a final decision has been arrived at on this question but it is high time that a decision were arrived at and that India were relieved of the burden which is now unfairly thrown upon its revenues.

We have been told, Sir, that the decision of His Majesty's Government to keep either the British army or British officers in India is based not on racial or political considerations but entirely on grounds of military efficiency. It would be difficult to persuade any Indian to accept that view. I will not therefore state the opinion of any Indian howsoever eminent he might be but I will again go back to Lord Kitchener whose frankness and straightforwardness would be acknowledged even by Honourable Members on the other side. Writing to Lord Morley in 1905 or 1906, referring to the opposition to the proposal to open the ranks of the higher military services to Indians, he said:

"This is due in part to the dislike of change and in part to a deep-seated racial repugnance to any step which brings nearer the day when Englishmen in the army may have to take orders from Indians."

My Honourable friend Mr. Cocke smiled in a superior way when I told him that this letter had been written about the year 1905. I hope he was in the House when Mr. Jinnah read out a passage from the report of the Sken Committee showing that some military officer connected with the War Office or the India Office had delivered a speech at Sandhurst in 1925, the object of which was to satisfy British recruits that there was no chance at present of their being required to serve under Indian officers. The racial considerations to which Lord Kitchener drew attention therefore have not disappeared with the lapse of time. They are as strong to-day as they were 20 years ago. These feelings perhaps reside in a stronger form in the breast of every Britisher to-day. I am afraid, Sir, I cannot discuss this question fully without referring to the question of the maintenance of the British army but that is a big question and requires separate discussion. I have set down a motion for its discussion and shall deal with it if it is reached. At the present stage I will content myself with the question of the Indianisation of the higher grades of the army and its expenditure, but before I sit down, I should like repeat that in view of the incontrovertible evidence which is available, it is idle for Honourable Members opposite to contend that their military policy is guided by considerations of efficiency. If efficiency were to be solely judged by them, if there were no agitation in this country, if we showed no determination to achieve our rights, I do not think we shall ever be regarded as competent to control our army. We know what happened up to the year 1918 notwithstanding our agitation and we can well believe what the situation hereafter would be if we were to place implicit faith in the words of the military authorities who treat us as if we were children.

Lieut.-Colonel H. A. J. Gidney: If I take part in this debate it is to emphasise and to enquire what position the Anglo-Indian community will occupy with regard to Indianisation of the Army. We have heard many speeches from the opposite side of the House in support of

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Indians and His Excellency the Commander-in-Chief has clearly indicated in his reply that Indianisation of the Army had special reference to two classes of people, namely, the Britisher and the Indian. Now, Sir, I represent in this House a community which has played no small part in the development of the Army in India—indeed it has helped England to obtain, maintain and retain India and as such I stand here to ask the Army Member a definite question to which I expect a definite reply. It is this: What part will the domiciled community take in this reform of Indianisation of the Army? It cannot and it must not any longer be used and put aside as the plaything of yesterday, to be made the convenience of to-day and relegated as the forgotten of to-morrow. It has to be provided with a definite position and I ask the Honourable the Military Member, in all the seriousness at my command, to tell me what position the community is to occupy in the new military orientation in India. No reference whatever has been made to it by either side in the Skeen Committee debate. I suppose I shall be told by the Military Member, as also the opposite benches, that since the Parliamentary Statute of 1870 Vic. 33 has classified Domiciled Europeans and Anglo-Indians as 'statutory natives of India' we must occupy a similar status in the Indian Army. Indeed this was the offer made by His Excellency the Commander-in-Chief last year. It must be obvious to all that with the standard of living of the Domiciled European or Anglo-Indian it is impossible to expect him to live on the same salary as the Indian soldier. It is an economic impossibility. I do not wish to draw an invidious comparison, but I wish to face facts as they are and desire the Army Member to do the same and to appreciate the fact that the good class of the community will not enlist unless adequately paid. (At this stage Mr. M. A. Jinnah made an interruption which was inaudible.) Mr. Jinnah, please do not interrupt me. I am talking to the Chair

Mr. C. S. Ranga Iyer: On a point of order. Is it open to an Honourable Member to address another Honourable Member and say "You are not to interrupt me"?

Mr. President: Colonel Gidney.

Lieut.-Col. H. A. J. Gidney: I am sorry, if "Father India"—I mean Mr. Ranga Iyer—is offended. We heard it said by the Army Member that there is a dearth of British officers for the Indian Army. This may be so but I do not agree that this dearth of British officers is entirely due to the reasons adduced by Government. Government state that they cannot get officers to join the Indian Army. The reason given by the opposite benches is that British officers refuse to serve under Indian officers. I do not deny or accept that. That is for the British officer to say. In my opinion, however, if there is a dearth of British officers coming out from England it is largely due to the higher wages one can get in England to-day. Why, even the skilled labourer in England to-day gets a higher wage than the salary of a junior military officer. Moreover, social amenities are not easily procurable to-day in India and the young military officer finds his salary very inadequate as compared with business men and Indian civil servants who can live more comfortably. Therefore, he is disinclined to come to this country and elects to remain in his own. But if there is really a dearth of British officers coming out to India, I can point out a splendid field in India from which just as good a type of British officer can be obtained and at much less cost to

the country, for there would be no passages to England and back, or overseas allowances and all those other allowances that are attached to a British officer's pay in India. I refer to the excellent material to be found in most European Schools in India for both officers and rank and file of the British and Indian armies in India. These schools, the European schools in India, can supply the British

4 P.M. Army with a standard of officers and rank and file as good as can be obtained from England, as has often been proved in the past. Why, even to-day a large number of boys from European schools in India go to England and come out as officers in the Army. Why should it be necessary for them to go to England for this purpose and so add to the cost of the Army in India? Why cannot they be recruited in India? Why do you refuse to recruit one or two units or even one unit of infantry or a battery of artillery from the youth of the domiciled community in the European schools in India? You cannot get a better class of lads anywhere in the Empire than from the European schools in this country, such as Sanawar, Lovedale, Ghoragali, La Martiniere, Bishop Cotton Schools, St. Joseph's (Naini Tal), North Point, etc. The Army Department will say these lads are not adequately developed. Is the British recruit properly developed when he is first enlisted? He is not, but after the first year's training he is developed. You can get at much less cost the same results with the same training of Anglo-Indian recruits in India, which will give you soldiers second to none even those who come from England. I speak on behalf of the Domiciled Community and its rightful place in the future Army in India. I repeat my question. I desire Government to let me know on the floor of this House what is to be the position of the Domiciled Community in the Army reforms taking place to-day and contemplated in the future. We are not to be put aside as England's bankrupt legacy to India and treated, as is done to-day, for occupational purposes as statutory natives of India, for political, social and census purposes as Anglo-Indians, and for defence purposes as European British subjects, though even as such we are denied European jury rights. We protest against this status of convenience and we demand, with all humility, to know what position is to be given to the Anglo-Indian and Domiciled Community in the new Indian Army Reforms. There is one point I wish to emphasize. I pointed out in my speech in the general discussion of the Budget that if the Army Member is a true military economist he would take advantage of the suggestions I made. I offered him an annual saving of 10 to 15 lakhs in one single Department, namely, the Army Medical Services. Pandit Hirday Nath Kunzru and also the Honourable Mover of this motion made references in their speeches to Indianisation of the various military departments. Pandit Kunzru pinned his colours on the Skeen Committee's Report. Sir, I have often tried to speak on that Report, but each time that I managed to catch your eye, you caught my tongue. I shall not deal with it now, but the point I wish to emphasize is Indianisation of a particular branch of the Army. I refer to the Indian Ordnance Factories. This department, which is a branch of the Indian Army Ordnance Department, has been in existence for nearly a century. This department is divided into various factories. This department has 500 upper class workmen. This cadre consists of Foremen, Assistant Foremen and Chargemen composed of Indians, Anglo-Indians, the Domiciled and covenanted Europeans. These employees are really a civil branch of a military department. Of this total of 500, there are about

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25 Europeans enlisted in this country claiming an English domicile, about 160 Domiciled Europeans and Anglo-Indians, and about 120 Indians. To show the difference between the grades I would mention that among the Foremen practically everyone is an Englishman. There are about 100 Europeans, 25 Anglo-Indians and 12 Indians as Assistant Foremen. The rest are Chargemen, mainly Indians. Now, Sir, here is a department which is practically the quasi-military equivalent and counterpart of a Railway Carriage and Wagon Department, except that the labour is a little more skilled in quality and exactitude so necessary in the making of gun carriages. But even in these workshops we have a marked difference of treatment between those recruited in India and those recruited from England. This body of Foremen have an Association which had an interview recently with the Master General of Supplies. The interview was ostensibly for the purpose of putting an end to all discriminations and settling this difference of treatment between the different communities employed in this department. Instead of this being effected resolutions were passed which accentuated these differences. The chief bone of contention was an allowance of Rs. 75 given to covenanted men and denied to domiciled Europeans, Anglo-Indians and Indians. The men recruited in India who claim a British domicile are now to be also given this Rs. 75, for which I understand a grant of Rs. 35,900 had been set aside in the 1928-29 Budget. The question of giving a similar allowance to those domiciled in India, Anglo-Indians, and to Indians has however been shelved. A grant of Rs. 30,000 was also sanctioned for the education of the children of these covenanted employees, and free passage money for those who came from England was also agreed upon.

Mr. President: Are all these arguments for rejecting the Demand?

Lieut.-Colonel H. A. J. Gidney: These relate to the general policy.

Mr. President: Are they for or against the motion?

Lieut.-Colonel H. A. J. Gidney: They relate to a general complaint in regard to the policy.

Mr. President: The Honourable Member must speak on the motion. If he desires to raise small questions of policy he can do so on the appropriate motions.

Lieut.-Colonel H. A. J. Gidney: If this motion of Diwan Chaman Lall which is to reduce this demand to rupee one is carried, I can hardly subtract my cut of Rs. 10,000 from the one rupee that is left.

Mr. President: That is not the fault of the Chair. The Honourable Member might try to defeat the motion.

Lieut.-Colonel H. A. J. Gidney: I cannot support the cut at all. (*Cries of "Sit down."*) Am I in order, Sir? If I am, I shall not sit down. What I wish to emphasise is this. In Indianisation of such services particularly in this quasi-military department, why are special allowances given to those recruited from England and denied to those recruited in India who occupy equal grades, do equal work which carries equal responsibilities? This grievance is of as much importance to Anglo-Indians and Indians as other questions of high military policy, because it affects the economy of a large number of Indian workmen. I submit to this House that it is

not right to make this distinction of a grant of Rs. 75 per mensem between these employees when they do the same work. It is unjust and unfair to a loyal body of workmen and since Europeans recruited in India are given this grant the hall mark and cachet of the covenanted employee does not arise. I submit that it is a wrong policy, and I ask the Honourable the Army Member to bring this to the notice of the Master General of Supplies with the desire that everyone be put on an equality regarding this allowance of Rs. 75 which is given as a technical pay. There are other points, Sir, but I see you are looking at the clock, so I shall sit down and resume my remarks when I move my other motion on the Indian Medical Department.

Mr. T. C. Goswami: Mr. President, as there seemed to be some doubt even after the very eloquent speech of my Honourable and distinguished colleague, Diwan Chaman Lall, as to what the "obvious reasons" for throwing out the Army Grant were, let me say that the reason why we want to throw out this grant is that—

If blood be the price of England's rule,

Lord God! we have paid in full!!

Mr. President, I wish not only to enter a protest against but also to repudiate—and I feel confident that in doing so I have the support of the entire Assembly on this side—to repudiate the libel that was implicit in almost every sentence of the Commander-in-Chief's speech of the 8th March, 1928,—a libel against the people of India, against the manhood of India. My blood boiled when I read the newspaper report of that speech, and I have since taken the precaution of reading very carefully the entire speech of the Commander-in-Chief. I hold that speech in my hand; and I say that the libel against the Indian nation which is implicit in that speech is all the more cowardly because it was covert, because it was subtle, because it consisted in insinuations. I repudiate the libel of inefficiency. That is the principal purpose, Sir, for which I rose to speak on a motion which is otherwise "obvious", which is certainly obvious to me and to a large majority in this House. The Commander-in-Chief trifled with this House in Simla when we were discussing the Skeen Committee's Report. I wish I could describe it by no stronger words than the common phrase "solemn trifling", because I feel that would be a euphemism. He told us coolly that we must wait for public schools to grow up, public schools such as the one that had been acquiring shape in the imagination of the Law Member. I say that was worse than solemn trifling; and for a very good reason among many reasons. He has probably been out of touch with his own country; but only a few years ago there was a Committee to examine the public schools in England. And perhaps he may be aware, perhaps he is not aware, that the report of that Committee could not be published because the disclosures would not have redounded to the credit of public schools in England. That was only a few years ago; and if he wanted a book-reference. I would refer him to a recent book of the Dean of St. Paul's, Dean Inge. In his "Lay Sermons" the "Gloomy Dean" glosses over, in one of the essays, in his inimitable manner, the findings of that report. Let not the Commander-in-Chief hereafter taunt us with not having public schools of the English type in this country. We have enough human material in this country. I assert; and that is what ultimately counts; and our students are just as good; only they want the opportunity; and they will make good whenever

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opportunities are offered to them. In every sphere of public life, in every sphere of public administration, where Indians have had the opportunity, they have proved themselves the equals—and in many cases the superiors—of their British colleagues and co-workers. We have this Legislative Assembly to bear testimony to that. Any impartial visitor has only to judge the debating quality on either side of the House.

An Honourable Member: What did the *Pioneer* say in its editorial?

Mr. T. C. Goswami: I think the *Pioneer's* editorial is worth referring to; I will read two sentences out of it. Even the *Pioneer*, which claimed at one time—till only a few years back—that high officials of the Government of India were contributors to that paper (that was before the Lee allowances came into existence; it was the boast of the *Pioneer* editorial staff that high officials of the Government of India and of the Government of the United Provinces were frequent—though anonymous—contributors to the *Pioneer*); well, that *Pioneer* writes in the issue which bears to-day's date—

“Their attitude”—

—that is to say, the attitude of the Government—

“is one of benevolent arrogance. They are criminally culpable of exhibiting a phase of the British regime in India which all right-minded people would like to see abolished immediately.”

The *Pioneer*, to do it justice, has frequently come out with true criticisms of the Government of India at considerable sacrifice of its popularity with its usual readers. But even that phrase, “benevolent arrogance”, would be a euphemism when applied particularly to the speech of the Commander-in-Chief. The point is not that Indians should be asked to prove their fitness for the Army. The point, I submit, is this—that it has become necessary that the Army should be Indianised and that every possible measure should be taken speedily to Indianise the Army. It is a question of necessity. From the Commander-in-Chief's speech, if you are to take that speech seriously at all, out of nearly 7,000 officers—6,998 according to the book that has been supplied to us—20 Indians per annum are going to receive the King's Commission.

Mr. M. A. Jinnah: No; twenty vacancies.

Mr. T. C. Goswami: Quite right—twenty vacancies at Sandhurst. Here is a little arithmetical exercise for Honourable Members. So it will take, according to that, three hundred years for the Indian Army to be Indianised. Now, Sir, I think it far more likely that the British Empire will have long ceased to exist three hundred years hence. It has not yet lasted two centuries, and it would be the height of arrogance for any member of the ruling community to-day in India to hope that the British Empire will last longer than Empires which have had greater potency than the British Empire in the history of the world. And this raises the only question that weighs with me. Either you are honest—I use that word deliberately—either you are honest, that is, either you honestly mean that you want to give us self-Government or you will drive us to desperation, drive us to seek other methods than constitutional methods. It is not true, history does not show, that you necessarily require a very great deal of military training for an officer. Take the history of the American

Civil War. Take the history of the Irish Army, the Republican Army. Take the history, the recent history, of countries like Poland and Czecho-Slovakia. Their officers were trained very quickly; school masters rose to high command in two, three or four years. It is the brain that counts in modern warfare; in modern warfare even more than in ancient warfare. The Commander-in-Chief made reference to mechanisation of the Army. With more mechanisation the brain will play a greater part in the making of successful officers in the future. That brain we are prepared to supply and we are capable of supplying in India. I hope this Government will advise the Government in England to give up this dishonest policy, this utterly dishonest policy, of saying one day that they want to help us to attain Swaraj and another day that the Indian Army will not be Indianised in the course of the next two or three centuries.

Now, Mr. President, it is worth our while to consider again Appendix No. 3 to the Report of the Indian Sandhurst Committee to which reference has been made by my Honourable friend, Pandit Hirday Nath Kunzru. There you have a glaring example—almost a proof—of the absence of *bona fides* on the part of those who are controlling military policy in England with regard to Indianisation. In one sentence they say, with regard to the possibility of Indians becoming Majors:

“So, out of a total of 1,583 Captains in the Indian Army there are only three Indians under whom a Britisher might be called upon to serve; and two of these owing to their age”—

—they made sure of that—

“are not likely to be promoted beyond the rank of Major.”

And here is another sentence:

“This fact, to my mind, precludes the possibility of a Britisher entering the Indian Army to-day finding himself thrown out later to make room for an Indian.”

Again, Sir, a *modus vivendi* is absolutely necessary if the constitution is meant to develop peacefully; because after all we have our duty to our country; and our duty and allegiance to our country is far greater than any technical allegiance to the constitution; and we should be failing in our duty to our country if, when we realise and when we are quite sure that no reliance can be placed in the *bona fides* of the ruling power, we do not seek other means than constitutional means. (*An Honourable Member*: “Are you not sure yet?”)

Now, Sir, I think it will be profitable even for the Military Department, arrogant—benévolently or otherwise—as it is to-day, to realise that it is safer for a small minority of people in this country, who have come from across the seas, to live in the manner becoming people who have sought the hospitality of these shores—and India has never been inhospitable—rather than live here as an army of occupation, as people who want to control us, who want in vain to control the destinies of our country, as people who want to exploit us and as people who want to humiliate us. As I said last year, Sir—and this is the remark with which I will close my brief observations—the thing that pains me in this huge military budget is not so much the amount of the military budget, but it is the fact that we pay not merely for a foreign army of occupation but that we pay for the perpetuation of our enslavement and of our impotence.

Mr. D. V. Belvi: Sir, the Army in India is a department which eats up the largest slice out of our revenues and it is, therefore, a department which deserves our careful consideration. The time of discussion of the Budget is the only time of the year in which we can review the military policy of the Government of India. The military in this country swallows so much of our revenues that it becomes absolutely impossible for such useful things as education, hygiene and the like to get any reasonable amount out of the public revenues. It is a matter of common knowledge that in this country after a rule of 150 years Great Britain has not been able to educate even 10 per cent. of the population in the elements of knowledge. People are not able to sign their names even in the vernacular to the extent of 10 per cent. in this country; and we find that there is no effort whatever made by Government to impart industrial or technical education to the people of this country. The main reason trotted out is that there is a lack of funds. How can we get funds for any important things when you spend nearly half of our revenues on one single department, namely, the Military Department? The other day we found that when my Honourable friend Mr. Jinnah said that the Army in India was a garrison army, there was on the faces of the gentlemen sitting on the benches opposite an expression of surprise—I may say an expression of horror. I suppose they thought that my Honourable friend Mr. Jinnah was using a word which was not justified in the discussion. Now, in this connection I request your permission, Sir, to cite a passage from a standard book bearing on this point:

"England must be prepared to command the sea, and to spare eighty thousand of her soldiers to garrison the country."

The word used here by no less an authority than Professor Bryce in his book called the Roman Empire and the British Empire is "garrison". We find that the real reason why this army is maintained in India is not that the department is a nation-building department, as was very erroneously but very shrewdly put forward by His Excellency the Commander-in-Chief the other day, but the real reason is given by Professor Bryce himself in his book. He says:

"Were she ever to find herself unable to do this, what would become of India? Its political unity, which depends entirely on the English Raj, would vanish like a morning mist. Wars would break out, wars of ambition, or plunder, or religion, which might end in the ascendancy of a few adventurers, not necessarily belonging to the reigning native dynasties, but probably either Pathans, or Sikhs, or Mussulmans of the north-west. The Marathas might rise in the west. The Nepalese might descend upon Bengal. Or perhaps the country would, after an interval of chaos, pass into the hands of some other European Power."

This is what is really to be found in the hinterlands of the minds of Britishers. They conceal the truth. They speak only in diplomatic language. What is passing in their mind is that there must be a large army maintained in India really to keep the people of this country down, but ostensibly to defend and protect the country from foreign invasion. Now, Professor Bryce says in another part of his book:

"The peace or 'established' strength of the British Army in India is 237,000 men, of whom 159,000 are natives and 78,000 Englishmen. To these there may be added the so-called 'active reserve' of natives who have served with the colours, about 34,000 men, and about 30,000 European volunteers. Besides these there are of course the troops of the native princes, estimated at about 100,000 men, many of them, however, far from effective. But as these troops, though a source of strength while their masters are loyal, might under altered circumstances be conceivably a source of danger, they can hardly be reckoned as part of the total force disposable by the British Government."

You will find, Sir, that the British Government does not trust the people of this country; it does not trust even the native Princes or at any rate the armies of the native Princes; and the truth is that they want to maintain a large army at this huge expense, as I said, simply to keep us down in fear of British rule.

Now, they say that we are not fit to bear arms. They say that we cannot defend ourselves; at the same time they tell us that an Indian Sandhurst cannot be founded in India. They are not willing to employ Indian officers to man the Indian Army. It is a misnomer to call it an Indian Army; it is an army of garrison maintained in this country by Great Britain for her own Imperial purposes; there can hardly be any doubt on this point. I have said in this House more than once that the English people should tell us frankly once for all that all this talk of freedom, all this talk of responsible government, all this talk of indigenous government in this country in lieu of the British Government is nonsense; if they once for all tell us frankly that they rule this country as conquerors and that they wish to maintain the rule by the sword, I shall at any rate be thoroughly satisfied with their honesty. But when they tell us that the army is a nation-building department, that soldiers in the Indian Army are immensely benefited, I say that Mr. Jinnah was perfectly justified in describing stories such as these as yarns: he used a very polite word; I should have said it was a cock and bull story to say that India was being built up by this large army. The effect of the Army is to destroy the resources of the country, and thus to retard the education of the people, to make them more barbarous, to make them more uncivilised. That is the only explanation which a reasonable man can possibly give of this huge expenditure on "the Army in India".

I am glad that my friend Mr. Chaman Lall referred to the fact that Soviet Russia was not doing anything unjust in increasing her military expenditure through fear of Great Britain. Soviet Russia is even enforcing the principle of self-determination in the case of territories which are subject to her rule. But what do we find in the case of India? I have said in this House that the principle of self-determination along with the 13 other principles which were discovered by President Wilson not only died with him but was buried with him.

We find, Sir, that a Commission has been appointed to examine us as if we were school boys. We are to be examined like school boys and promoted from a lower to a higher class. That is the method followed in giving us responsible Government and they want to take us from precedent to precedent. Is that the way. I ask, in which the other parts of the British Empire have been treated? I have got here, fortunately for me, a British politician who happens to be the Chief Justice of the Court which is now set up to try us. I am going to quote from no other gentleman than Sir John Simon himself on this point. This is what Sir John Simon said on the 27th of November 1922 in the House of Commons when the Irish Constitution Bill was under discussion:

"I rise to express, on behalf of myself and my friends, with whom I am associated, our complete concurrence with what the Prime Minister said at the opening of the Debate. He pointed out, and I think it is one of the encouraging features of the situation, that this Constitution is a Constitution which has been drafted in Ireland by Irishmen for Ireland. In that respect it differs from the two Gladstonian schemes, from the Act of 1914, and from the Act of 1920. The procedure that has been followed"

[Mr. D. V. Belvi.]

is, however, by no means a novel or a revolutionary procedure. As the Prime Minister pointed out, the Constitutions under which different parts of our Empire are now working are in a very large measure Constitutions which have been settled on the soil where they were to operate, by the people who were to live under them. The Dominion of Canada, which, in Article 2 of the Treaty, is specially referred to, lives, it is true, under a Constitution which is contained in an Imperial Act; but that Imperial Act did nothing more than embody in legislative form the great collection of Resolutions which had been arrived at in Quebec as a result of long debate and ultimate agreement between the Canadians themselves. The Constitution of Australia is not to be found in any enacting section of any British Act of Parliament at all. The Constitution of Australia is scheduled to a Statute of 1900, in exactly the same way in which it is proposed that this Irish Constitution should be scheduled to this present Bill. Perhaps the most remarkable case of all is the most recent, for the Constitution of the Union of South Africa was at length arrived at as the result of discussion in South Africa itself, and it was carried through this House, within the recollection of a good many Honourable Members in the year 1909, without the alteration of a single sentence."

Sir, this is most valuable testimony coming from no other authority than Sir John Simon himself. But by a curious irony of fate, Sir John Simon is now appointed as the Chairman of the Commission which is to examine us and pronounce upon our capacity for self-government, I quote this passage merely to show that Britain has all along applied two different standards of administration, one to the white people in the Empire and another to the black people in the Empire. We come under the second category, and we are treated in this ignominious manner for reasons which have already been settled against us. The unfortunate prophecy, to which expression was given the other day in an Indian newspaper as coming from Major Graham Pole, to the effect that it had already been settled that the Commission would say that no further advance should be made in the case of Indian reforms, may, I fear, come true.

Sir Walter Willson: On a point of order, Sir. Is this relevant to the subject matter under discussion?

Mr. President: This is hardly relevant.

Mr. D. V. Belvi: I have almost finished, Sir. My point is that the British Government has got two different standards of treatment, one for the white people and another for the black people. The British Government is not behaving with us frankly, openly and honestly, and that is the reason why we must go on protesting every year against the policy which is pursued by Great Britain, and the only way in which we can assert and express our indignation against Great Britain is by throwing out these Grants. We know that these Grants will be restored by certification. We know that what we do here is mere child's play; but that is the only way in which we can constitutionally express our displeasure at the policy which is pursued by the British Government.

The Assembly then adjourned till Eleven of the Clock, on Thursday, the 15th March, 1928.

LEGISLATIVE ASSEMBLY.

Thursday, 15th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

BILL PASSED BY THE COUNCIL OF STATE LAID ON THE TABLE.

Secretary of the Assembly: Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table the Bill further to amend the Indian Limitation Act, 1908 which was passed by the Council of State at its meeting of the 14th March, 1928.

THE GENERAL BUDGET—LIST OF DEMANDS—*contd.*

SECOND STAGE—*contd.*

Expenditure charged to Revenue—contd.

DEMAND No. 38—ARMY DEPARTMENT—*concl'd.*

Mr. President: The House will now resume further discussion of Mr. Chaman Lall's motion:

"That the Demand under the head 'Army Department' be reduced by Rs. 5,70,999." (For obvious reasons.)

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, my friend, Mr. Chaman Lall, has given a cut on the Army Department, giving as his reasons, reasons which he says are "obvious". But sometimes we find that the unobvious is also more conclusive, and I am going to say something about that.

In the course of the debate on this subject yesterday I heard a Member denouncing the British policy in this matter as Machiavellian. I am here to protest against it, not because it is unfair to the British Government, but because it is more unfair to Machiavelli himself! (Laughter). We all know that Machiavelli is a byword in political history. He stands for cunning statesmanship of the highest order, but what do we find in contemporary history? The characteristics of one age and generation are easily displayed by those of another age and generation. After the termination of the war I remember to have read a literary critic who said that if in this age after the war a great poetic genius came to the front he could write an epic on the war which would be greater than Milton's "Paradise Lost". "Paradise Lost", of course, contains the tragic grandiloquence about Satan. But the critic said that if an epic poem were to be

[M. N. C. Kelkar.]

written now he could well describe the fall of William, Kaiser of Germany, which would perhaps be a greater fall than that of Satan himself. Similarly, I would say that if any man with historical and political acumen were to come forward he could easily write a treatise on statesmanship by which he could prove that Machiavelli was nothing as compared with the British genius in point of cunning statesmanship.

Now, in order to prove this, I will just quote Machiavelli himself. (Laughter). In the discussion of this subject we are saying that it is bad policy for the British that they should disarm the Indian people and should not appoint Indians to the higher ranks of the military service. Now what does Machiavelli say? He was an apostle of autocracy in its highest sense and yet what did he say? I will quote his very words. He says in his book "The Prince":

"A wise prince was never known to disarm his subjects; rather finding them unfurnished he puts arms into their hands, for by arming them and innuring them to warlike exercise those arms are surely your own. They who were suspicious to you will become faithful; they who are faithful are confirmed, and all your subjects become of your party. And because the whole multitude which submits to your government is not capable of being armed, if you be beneficial and obliging to those you do aim, you may make the bolder with the rest, for the difference of your behaviour to the soldier binds him more firmly to your service. But when you disarm, you disgust them and imply a diffidence in them, either for cowardice or treachery, and the one or the other is sufficient to give them an impression of hatred against you."

Now I ask anybody, who is the greater evil genius, the British Government or Machiavelli? Here is Machiavelli actually saying, you should give arms to your people and obtain their confidence. But what is the policy actually followed by the British Government?

Now, may I ask Government whether they can point out any instances in which it could be proved that your Indian officers, military officers, have ever been guilty of cowardice and treachery? I saw the other day a book in the Library which is full of rewards and military prizes given to Indian officers, and the book is full from cover to cover with the mention of the names of these high Indian officers. Now you might perhaps hark back and say, there was the Indian Mutiny, and it was a sepoy mutiny, and in that mutiny Indian military officers took part against Government. But that is a thing of the past, and it is high time that all of us forgot the Indian Mutiny. I dare say the last mutiny veteran has by this time died out. It is too late to think of the mutiny now, and we must adjust our relations between the Government and the people of this country.

I would say this that in other times, though there were foreign Governments in this country, history shows that those foreign Governments put implicit confidence in their Indian military officers. I will give only two striking instances. Who was the Commander of that most important arm in the army, namely, the artillery under the Marathas? It was a Muhummadan. Ibrahim Khan Lodi was the commandant of the artillery of the Marathas at Panipat. At Panipat the Marathas may have failed, but Ibrahim Khan gave the best account of himself: he died on the battlefield. He could not be accused of treachery. I will give another instance. Look at Aurangzeb himself. He is said by historians to be the most bigoted Mughal King. Yet he had such confidence in Indian commandants and captains that when in desperation to catch Shivaji and to defeat him, he

could not find a better General, a more trustworthy General than his Rajput commander, namely, Jai Singh, and it was Jai Singh who came to the Deccan and defeated Shivaji and took him as a captive, an honoured captive, to the court of Aurangzeb. Now what do these contrary instances prove? Here are Marathas putting their absolute trust and confidence in a Muhammadan, keeping him in charge of artillery, and here you have Aurangzeb himself appointing Jai Singh a Hindu, to go and defeat Shivaji! I do not think history can produce any better illustration of confidence reposed by a Government in an alien people even in matters of military command. But it is not only that we Indians say this. Testimony can be produced from very high English authors themselves on the subject, and I will just quote Sir Henry Harrison, who has pointed out the defect of the military policy of the British Government in this respect. He says:

"The citizen soldier is after all the backbone of national defence, if not the entire military system; and there is no country in the world except India in which Government not only do not take into account, but also rely upon, the civil population as part of their defensive military organisation. But the British Government have carried the idea of their duty of protecting the people in India to an absurd excess and they would rather import the available army from England, accept the services of colonial contingents, or perhaps even invite Japan, under the terms of a friendly alliance with her, to spare a portion of her gallant army. But they would on no account trouble the Indian people themselves for defending their own hearths and homes."

Mr. F. W. Allison (Bombay: Nominated Official): Will the Honourable Member kindly tell us who is this authority he is referring to?

Mr. N. C. Kelkar: He is Sir Henry Harrison.

An Honourable Member: Who is he?

Mr. N. C. Kelkar: You ought to know better. I have taken this from a book of which the author is Sir Henry Harrison, and you ought to know your Harrison better than I can. Well, in the course of this discussion, it has been pointed out that the British military officer would not like to serve under an Indian officer. Now may I ask why in this case there should be an exception, when we see European officers serving quite willingly under the authority of Indian superiors. Take your District Magistrate. The European District Magistrate certainly does not quit his job because the District and Sessions Judge is an Indian. In the High Court we often find that an Indian acts as a Chief Justice sometimes. Do the other English Judges quit their job because they have got an Indian superior at the head? Certainly not. Here again in the Executive Council there are at least three Indian Members. Englishmen serve as Secretaries to them. They do not give up their job because at their head is an Indian. Why should it be then that in military service alone the English officer should dislike to serve under an Indian head? Now too much is made of the racial prejudice against colour in this matter. It was always pretended that in European wars, or in wars in which Europeans were concerned on both sides, Indian troops were not to be utilised, and that the Europeans would prefer to fight out the quarrel themselves. That was the pretence sometime ago, but that pretence has happily been knocked on the head in the Great War when it was found that it was the Indian troops who went first of all to the rescue of France and England in Europe, and after that I suppose there would no longer be any talk of coloured troops not being employed in European wars. Then what do we find with regard to other nations? Take Spain for instance, and France itself. France and

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Spain have actually employed coloured troops in their scheme of defence. Even in Russia, non-Christian subjects are admitted to high military service. and I will here just quote one more English authority about whose identity there is no doubt, I mean Sir Henry Cotton :

“The Mogul emperors adopted heartily and completely the policy of trust; Akbar’s greatest generals and most devoted adherents were children of the very men his grandfather had conquered. . . . The British Government, on the contrary, has adopted a policy of suspicion. . . . The Russians can get from the territories they have absorbed in Central Asia an Alikhanoff or a Loris Melikoff. We can only produce men who rise to the rank of a Naik, Havaldar or Resaldar.”

Now if Shivaji himself were living at this time, I suppose he could not rise above the post of a Risaldar or Havildar.

An Honourable Member: Shame, shame!

Mr. N. C. Kelkar: Take your Indian captain of these days. His chest may be full of ribbons and medals and other marks of military honour, but the latest subaltern with no moustache on his lips would command that old veteran with his white beard. What is all this due to? Nothing but racial pride: and therefore I say the sooner Government quits this policy the better. I will hark back again and say that in all this we have an example of cunning statesmanship which out-Machiavellis Machiavelli himself.

Mr. Rajivaranjan Prasad Sinha (Patna *cum* Shahabad: Non-Muhammadan): Sir, I wish to associate myself with what has fallen from the previous speakers in condemnation of the entire military policy of the Government. That policy Sir, is an outrage against the people of this country. We have been told time and again that the British people and the Government are sincere in their desire to advance India to the goal of responsible self-government within the Empire. I consider this question of army reform, Sir, as the touchstone of that sincerity. Without labouring the point further I may say at once that most of us are convinced to-day that the announcement of August 1917 was purely and simply a war measure, as was pointed out by my esteemed friend, Lala Lajpat Rai, the other day. I know that the Honourable the Home Member produced arguments to controvert that statement, but may I assure him, Sir, that Government are judged and can only be properly judged, not by their words or their skilful arguments, but by their acts of commission and omission: and judging them by that standard, there is not the least doubt in our minds to-day that Government do not stand by their declaration of 1917 or the Act of 1919 in so far as the question of reform of the Indian Army is concerned. Recent events have shown that Government are not willing to advance India even in the matter of the progressive Indianization of the higher ranks of the Army. Sir, a distinguished Englishman told us the other day that history will not fail to return its verdict—I do not recollect the exact words—against those who chose to hinder when it was in their power to help India. Sir, I make a present of these eloquent words to the Benches opposite. Let them search their hearts and say whether or not these words apply to them with far greater force than to those for whom they were originally intended. Sir, never before in the history of the association of the two countries, Great Britain and India, was a better opportunity presented to the British people and the Government to help

India, but they have chosen deliberately to hinder her. I want the House, Sir, to take note of this fact, because we, on this side, are often treated to homilies—cheap homilies—by the other side on the value of co-operation and are accused of contributing obstacles rather than help to the progress of our country, India.

Sir, during the last war Indians proved to the world that, given the opportunity they were as efficient fighters as any other races of the world. No question of their inefficiency was raised at the time. As a matter of fact, in those days they were lauded to the skies as a brave and gallant people who had done their very best for the Empire. Now, Sir, ten years after the war was fought and won, the British Government have discovered that the efficiency of the Indian Army would be seriously undermined if the scheme, the exceedingly moderate scheme, for progressive Indianisation of the higher ranks of the Army, whereby in 25 years—or rather at the end of that time—the proportions of Indian and British officers in the Army would have stood at half and half, was given effect to. Sir, I wish to ask a straight question of the Benches opposite. We all desire that the Indian Army should be maintained in an efficient state, but may I ask how that efficiency is going to be impaired by allowing Indians to be trained for the higher military service of their country? Sir, it is not our position that untrained Indians should be put into the commissioned ranks of the Army. All that we ask is that Indians should be allowed in increasing numbers to receive military training in a military college established here in our own country on the model of Sandhurst, and when the Indians have been properly trained, when they have successfully passed through all the tests of training, then they should be commissioned and taken into the Army. Now, is it the contention of the Government, Sir, that an Indian, even when he has been properly trained, when he has passed all the examinations, when he has passed out of Sandhurst, for instance, is still inefficient and that if such officers are allowed to enter the Indian Army in increasing numbers, the efficiency of the Army will be seriously damaged and a great disaster will overtake the British Raj? Sir, an argument like this has simply to be stated to be thoroughly exposed and rejected. I doubt very much if the Government with their well-known capacity for producing outrageous arguments will dare to subscribe to this, in the face of what Indians have done during the Great War and are doing to-day, and yet, Sir, that is the only argument which could justify the turning down of an exceedingly moderate scheme for automatic and progressive Indianisation of the higher ranks of the Army. Sir, I do not wish to detain the House longer, but I wish to say this, that an exceedingly reprehensible game is being played against Indians. It is not fair; it is not worthy of "God's Englishmen". Sir, they have deliberately and systematically disarmed and emasculated a whole nation; and after the war in which that nation gave such a gallant account of itself, there was a chance of helping it forward, of helping it to regain its lost manhood, Government, Sir, are content to dole out meagre concessions and to say "Be content with these, you will get more when you have given further proof of your efficiency." Sir, it is a hard thing, a very hard thing indeed, to ask for small favours. We hate asking for scraps of concessions as intensely as I believe Englishmen would in similar circumstances but when we *have* asked for them, when we have begged them and have not got them, then, Sir, the feelings become embittered beyond all expression. Let Government take note of this. It is

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not the political agitator alone who condemns the Government in this matter; every Indian of whatever shade of political opinion who has the smallest spark of self-respect in him is filled to-day with intense indignation and resentment at the policy that the Government have been pursuing in regard to the reform of the Indian Army. Sir, if the Government wish to keep up the merest pretence of ruling this country in accordance with the wishes of the people, they must alter that policy in an honest and straightforward manner. But if, Sir, they are minded otherwise, I can only say that I wish them the joy of their present position. I wish them the joy of their glorious position under this wonderful constitution of ours, a constitution which, I believe, has no parallel throughout the civilised world, in which they can continue to fill the Benches opposite, however grossly they may mismanage our affairs or however bitterly they may disappoint us and our hopes and aspirations

Sir, I support the motion. (Applause).

Colonel J. D. Crawford (Bengal: European): Sir, I have already twice during the discussion on the Budget had some opportunity of speaking on the question of military policy. The time on those occasions was brief and I would like to expand to some extent the points I then made. Before going on to deal with the debate we have had in the House on this particular motion, I would like to refer to one point raised by the Mover of the motion, and that is his criticism of the absence of His Excellency the Commander-in-Chief in this House. Now, Sir, that criticism, if justified at all, might have fallen better from his lips if he, the Mover of the motion, had remained present during yesterday afternoon's discussion.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): On a point of order, Sir, I was most of the time present in the House.

Colonel J. D. Crawford: My feeling on this point is that an active soldier like His Excellency the Commander-in-Chief should not be brought into political controversy.

An Honourable Member: Quite so, but why did he come here and make the statement?

Colonel J. D. Crawford: And I feel that his presence in this House and incidents which have arisen in this House are definitely damaging to his position as Commander-in-Chief and very definitely subversive of military discipline; (*An Honourable Member*: "We do not care".) And to have an attack made on His Excellency, such as Mr. Goswami made yesterday and to say that His Excellency the Commander-in-Chief made a cowardly libel on Indians, well knowing the sympathy which His Excellency has always shown for his Indian troops, is, I submit, definitely subversive of the best military discipline.

Diwan Chaman Lall: Why does he come here and talk to us?

Mr. T. C. Goswami (Calcutta Suburbs: Non-Muhammadan Urban): I do not care.

Mr. M. S. Aney (Berar Representative): Do you expect military discipline in this House?

Colonel J. D. Crawford: Now, Sir, the arguments which were put forward in this debate yesterday and have been put forward to-day have taken two lines. One is directed towards a criticism on account of military expenditure and the other towards a criticism against Government on account of their Indianisation policy. I propose to deal first with the question of military expenditure because that was the line which the Mover of the motion took.

Now, Sir, if the Mover of the motion wanted to criticise the military expenditure, I submit that he should not have based his arguments on false premises. We are aware that the Honourable gentleman has, on a previous occasion, placed statistics before this House which were ten years old. Surely he knows what the actual position regarding the military expenditure is to-day. If he does not know that, I will remind him from some quotations from India, 1924-25, where we have this question of military expenditure placed on its proper footing. The military expenditure of India, if you want to get at the percentage of it according to the total revenues of the country, must be taken not as against the central revenues alone but as against the total of central and provincial revenues.

Diwan Chaman Lal: May I ask the Honourable Member whether it is not a fact that

Colonel J. D. Crawford: I am not prepared to give way.

An Honourable Member: Who spends the money?

Colonel J. D. Crawford: The total expenditure of our military budget is somewhere between 50 and 60 crores and our total revenue, central and provincial, is 220 crores. Therefore, the correct proportion of our military expenditure to our revenues is somewhat under 25 per cent. and that is the ground on which the Honourable Member should, if he desired to criticise the military expenditure, of which he has every right, have taken up his stand. Now, Sir, he comes before this House and endeavours to compare the military expenditure of India with the military expenditure of other Dominions of the British Empire whose vulnerability to attack is in no way comparable with that with which we are faced. He might just as well have taken the military budget for the South Sea Islands and said that as these people can get on without any military expenditure, therefore why should we incur any expenditure at all. On the other hand, I feel that the genuine way of criticising the military expenditure is that we should endeavour to compare our rifle strength with the number of rifles that can be brought against us; and if you want to go outside for comparison, you should endeavour to find some other country in which the conditions of the terrain in which we will have to fight are to some extent comparable.

Now, let me take the question of rifles. I believe our strength of rifles in round numbers is somewhere about 200,000. Now, we know that on our North-West Frontier the actual fighting strength of the tribes amounts roughly to somewhere round about 500,000, of which, I believe, roughly about a third are armed with modern weapons. Behind that, again, of course, you have your Afghan standing army and, possibly just as important, your Afghan tribal troops who have been bred and brought up in a fighting atmosphere.

Mr. B. Das (Orissa Division : Non-Muhammadan): How much money does Afghanistan spend on its army?

Colonel J. D. Crawford: So actually, as regards our number of rifles, when we have deducted as much as may be necessary for the protection of our strategic railways, and for watching our North-East Frontier and also for our internal security purposes, the fighting strength of our army as opposed to what might be brought against us is not, I submit, unduly high.

Lala Lajpat Rai (Jullundur Division : Non-Muhammadan): Why not add Soviet Russia also?

Colonel J. D. Crawford: Now, let me compare for one minute the position in some other country which has as comparable a terrain as that with which our military authorities are faced. I will take you to French Morocco. Here in a country the population of which is only 5 millions, I find the French are compelled to maintain 2 regiments of Zouaves, 10 regiments of Tirailleurs, 3 regiments of the Foreign Legion, one regiment of Colonial Infantry, and 6 regiments of mixed troops, partly French and partly Moroccan. Each of the above regiments is composed of three battalions and the total force maintained in Morocco is 85,000 men.

An Honourable Member: At whose cost?

Colonel J. D. Crawford: If we go again to the actual operations which the French had to carry out in Morocco in terrain, which, I submit, is comparable with the terrain which we have on the North-West Frontier, we find that in undertaking operations in a country 200 miles long, not a thousand miles as is the North-West Frontier of India, and only 60 miles wide, they had to deploy in spite of the Spanish forces already engaged in that area 100,000 rifles. Now, Sir, I hold that this is an example which does enable this House to appreciate to some extent whether or not the strength of the army which we maintain for our defence is extravagant, and I can only hold that in view of those figures our army, as far as its strength is concerned, is not in the least bit extravagant.

I will now pass on to the problem of Indianisation. Here I think my views are already to some extent known.

Mr. M. A. Jinnah (Bombay City : Muhammadan Urban): Well known.

Colonel J. D. Crawford: I believe that Indianisation is not only a political necessity but to some extent a military necessity in view of the fact that we are faced and may be increasingly faced with difficulty in obtaining a British element. Why I have criticised and have been a close critic of the proposals put forward by the Skeen Committee and the proposals which are placed before the House by Government is on the ground that for an army mainly recruited from the yeoman classes we are endeavouring to find officers practically entirely from the urban middle class. Having knowledge of the conditions as they are to-day in India I believe that a policy which concentrates entirely in that direction is fundamentally wrong in principle. I have listened, Sir, for constructive proposals from the Benches occupied by the Swarajist Party. Mr. Srinivasa Iyengar, their leader, threw out a suggestion that your best way of driving out the enemy is by votes of censure, and Mr. Goswami alluded to the well-known ability and command which Indians have of words.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): What else can we do?

Colonel J. D. Crawford: I have, Sir, drawn from my imagination a picture of the type of army which we might expect under Field-Marshal Srinivasa Iyengar, and I thought that it might be composed of a first line of process servers, who would be supported by bodies of learned gentlemen moving appeals in the High Court, with a further body of politicians as shock troops firing off votes of censure, the advance of the whole army covered by a barrage of words under the direction of Mr. Goswami. But I could not persuade myself to believe that the idea of having such an army at the present moment was at all attractive. It might be that in the future, when your League of Nations has developed and nations take **their cases to be fought out in the courts of the League**, such an army, which, mind you, will be an expensive army, may, anyhow, in the first instance be of some use. But, remembering Pandit Motilal Nehru's statement that we have to keep before us the facts of human nature, I feel that it will be many generations and beyond our time before we can neglect the fact that we are faced along our North-West Frontier with people who will, long before they resort to law, resort to the force of arms.

Honourable Members of the Independent and Nationalist Party have made much play of the fact that a British officer cannot be commanded by an Indian, and yet their own words, I think, have very largely disproved that there is any particular argument in that point. My friend Mr. Kelkar has already definitely quoted the fact that Britishers are already serving under Indians in the civil administration, and my own impression is that, where a soldier inspires confidence, the pigment of his skin will not deter other soldiers from serving under him. But, after all, is the particular desire of this House that all that they want is that their Indian officers may command British officers? I hold that that is an entire side issue. What we want our Indian officers to do is to command men and what is more and very essential is Indian officers who will be followed by their men

Now, Sir, I will turn to my own criticisms of military policy in so far as I made them the other day and was unable to get any reply from the Army Secretary during the General Budget discussion. On that occasion I pointed out that the Government military policy was the maintenance of a small army, but on the understanding that it was maintained at the highest standard of efficiency. Now, I contend that that last proviso which Government themselves make has not been fulfilled. On that occasion I pointed out that we had taken risks definitely owing to our financial stringency. Now, that the days of financial stringency are past, I would like to know from the Army Secretary whether the equipment of our army is in a satisfactory position. Are our troops in India for expeditionary purposes in that state of mobility in which we have a right to expect them to be? Are our troops equipped to contend with an attack from the air accompanied by the use of gas? My own impression is that he will be unable to give me a really satisfactory answer to both of these criticisms. I also asked him what was the position regarding the officers in our military forces; and here again I know that you have not, in those military forces and amongst your officers, that sort of contentment which is so essential to the efficiency of the army. I think in the main the difficulties are

[Colonel J. D. Crawford.]

very often of a minor nature, but they are ones which demand Government consideration. I mentioned during my speech on the General Budget discussion that the question of accommodation was one touching the interests of the officer which in some cantonments was very far from satisfactory. There are other questions regarding travelling expenses. For instance, I believe on the move from Simla to Delhi, while some officers are all right, many married officers actually lose because that particular move is put on the temporary and not on the permanent scale. I do not feel that if Government order officers to move about the country to suit Government purposes, that they should lose thereby. Also, Government have accepted the policy that they give their officers home leave, and yet there are few of our junior officers and junior married majors who are able to get the benefit of that holiday in England to which they are entitled by regulations, due to the fact that their furlough pay is definitely below the standard of living which they should maintain—let alone to provide them with any opportunity of enjoying that holiday when they get it. These are points, Sir, which I believe with a little manipulation and with no very great measure of expense—because after all if an officer takes his leave in India for eight months he gets higher pay than he does if he goes to England—can be adjusted. I would urge Government once more to have these matters not only under consideration but definitely to take some action. We cannot look to our army to fulfil its obligations if, as I say, its efficiency is hampered by the fact that its officers feel that they have a certain number of grievances and if our officers feel that their equipment is not modern, that they are not given the latest weapons of war wherewith to do their job, and if our men are not adequately equipped with what is necessary for their own protection in the event of certain types of attack. As I say, I feel these are definite matters to which Government should give attention. I feel that our military expenditure, though high, is forced on us by our geographical position and our vulnerability to attack; and I submit that I have produced figures which show that those figures are not, in view of the position, very high. They compare very favourably with the figures in other countries. You have Japan, a country which is very often quoted by Honourable Members opposite, who spends some 75 crores on her defence out of a total revenue of 210 crores. We are therefore well within what we ought to be. If anything our position is more easy. Mr. Chaman Lall stated that Soviet Russia had increased her forces for fear of attack by the British. I do not believe that he really thinks that. I know he is a very sincere admirer of the Soviet form of self-determination, although I do not know that the Muhammadan tribes in the Caucasus or Central Asia would perhaps quite so readily agree with him. But we must face the possibilities. Everything is not yet peaceful in this world. There is constant trouble in Mesopotamia which might easily spread throughout the Middle East, and I hold that this is not the time when we should leave ourselves with an inadequate military defence or a military defence that is improperly equipped.

Mr. S. Srinivasa Iyengar (Madras City: Non-Muhammadan Urban): Sir, I had no intention whatever of intervening in this debate, but for the somewhat humorous observations which the unofficial apologist for His Excellency the Commander-in-Chief and the Government Benches generally has made from the European Block. I am very sorry to hear that

Colonel Crawford is thinking of becoming Commander-in-Chief. If His Excellency the present Commander-in-Chief is to be Minister for Army matters in this House, he must take the consequences and the Government must take the consequences. Of course it might have been wisdom on the part of the Government to have put an Indian as Army Minister in charge of this department; then things would have been better argued on the one side and on the other; but if you choose to put in one who ought to be a non-party man, the head of the Army, as a political Minister in charge of Army matters, it is impossible for you to gag the Members of this Assembly, it is impossible to restrict the freedom of debate, it is impossible to prevent that criticism and that comment upon absences which are so perfectly legitimate. Whatever one's office is—and I am glad to notice that the opinion of the *Pioneer* is in favour of the view which I am just stating,—one must take the consequences of one's position. I shall not be in the least degree sorry, and the Members on the other side should not be sorry, if, as a result of this debate during the last week and this week, a change in the administration of the Army Department takes place. It is for good reason, Sir, that the constitution has put His Excellency the Viceroy outside this Assembly; and it is for similar reasons that His Excellency the Commander-in-Chief ought not to be making announcements, ought not to be in the Legislature, and ought not to take charge of these matters. But if he makes an announcement in this House which rouses on our side the deepest resentment, if he makes his announcement in language which is calculated to provoke counter-attacks, he and his supporters must gladly, cheerfully and in a sportsmanlike fashion welcome them. Sir, it has been said that the British people like criticism, but I have never found that quality in people who resent criticism, who walk away when the Army debate takes place here and who, when they are backed up by nominated Members and majorities in their lobbies are vociferous and thump their tables time and again, but who, when their lobbies are thinned and from poverty of argument are unable to find anything else to do, simply shut their eyes, and who occasionally smile imperturbably and at other times with an unsmiling imperturbability they try to carry on. This sort of game has been carried on too far, and I would request Members on the other side of the House to remember that the political centre of gravity in India is not in the Civil Service only, but is in the unofficial European community in India, and therefore they should not lightheartedly enter into the affray. If they want to remain in India as equal citizens of a free India they must throw in their lot with us and not taunt us, as Colonel Crawford has chosen to taunt my friend Mr. Goswami. I consider that my friend Mr. Goswami was perfectly justified in canvassing in the way he did the speech which was made by His Excellency the Commander-in-Chief. Some of us who are old enough might have for reasons of needless courtesy, chosen to keep quiet, but sometimes even an elderly man, as my friend Khan Bahadur Sarfaraz Hussain Khan pointed out in connection with another subject, cannot resist the temptation of making a counter-attack when he is provoked. But I really associate myself with the resentment expressed on this side of the House, and with the fullest sense of responsibility I associate myself with every word that my friend Mr. Goswami said yesterday of the Commander-in-Chief's speech and attitude. I consider, Sir that when you find a friend like the one who spoke before Colonel Crawford, when you find a man who has that stake in the country, that sobriety and that wisdom.

[Mr. S. Srinivasa Iyengar.]

when you hear a man like that speak so strongly, you may be perfectly certain that the conclusion which we have reached on the administration of the Army is shared by every Indian, whatever his status in life, whatever his occupation, whatever his political inclinations may be. It is a grotesque proposition on the part of my friend Colonel Crawford to tell us that there are 500,000 thousand rifles among the tribes and that we have got in round numbers 200,000 rifles. What kind of arithmetic is he giving? Is he forgetting the machine guns and the Tank Corps and the various up-to-date weapons of offence with which he ought to be more familiar. His reply is really a case of *suppressio veri*. It must be quite clear to my friend that the British Army in India is quite capable of taking care of the Frontier even if it is one-fourth as strong as it is to-day. There is no need at all in modern times for such a huge army as this, and I do not desire, when we are at peace with Afghanistan, to imitate the example of my friend Colonel Crawford in dragging in the King of Afghanistan. If India is not tied to the Empire she will be far more peaceful and will have nothing to fear from her neighbours who will have no cause for misgivings or provocation. And are we made to feel that because we are tied to a bellicose Empire anxious to carry on a warfare to conquer the world, that that Empire is unwanted and is a galling burden to us? I think it is not statesmanship. I think the Madras Congress was perfectly wise in formally declaring that the goal of the Indian people should be complete national independence. I want to warn Members on the opposite side not to persist in the line of talk they have indulged in to-day. I want to warn members like Colonel Crawford and others of his way of thinking that the formal declaration of independence may ere long be followed by mass movement if that kind of talk is persisted in on the other side. It is necessary for Members on the other side to see things in their true perspective and to open their eyes to the realities of the situation. And when you find all over Asia, all the world over, there is jealousy against the British Empire and nobody loves this British Empire except those who are themselves the ruling people in that Empire, it ought to be plain to them that there must be a thorough change in their policy. Let them make up their minds to have that change of policy. We are not anxious to be within the Empire at all. They have overstayed their welcome in this country. It is not by votes of censure that any of us is going to be a Field-Marshal or a Commander-in-Chief, but the time will come when most of my countrymen will see things clearly. You may delay it by three years, five years or 10 years—but I tell you that I have a vision,—and those who see things clearly will appreciate it—that this Government will be soon swept out of the country. I therefore ask the Members who take part in this debate not to provoke us more than they have been provoking us. I think Honourable civilian Members of this House are much wiser in keeping quiet and not answering things because they cannot answer; it is much better for them to keep quiet than provoke us, for I would welcome many more specimens of Colonel Crawford's speech because that is the kind of spur that is required to enable us to speed ourselves up. I do not think that Colonel Crawford has been very wise in blossoming into a statistician, because he unnecessarily anticipated my friend the Army Secretary in connection with the ratio which he chose to draw between the central finances and the expenditure. . . .

Lala Lajpat Rai: Statistics are not his department.

Mr. S. Srinivasa Iyengar: Sir, the Army Department is a charge upon the central revenues and my Honourable friend Diwan Chaman Lall was perfectly justified in stating the obvious. What have we got to do with the provincial revenues when we know that in several provinces there are deficits and the provincial revenues are really taken out of the blood of the people in the provinces? You know perfectly well that whether the revenue is used in the provinces or in the central exchequer the people are groaning under heavy taxation. Do you think that with an average annual income of Rs. 60 to 70 for an Indian in India we can support the British administration, the British Government and army and all the rest including my friend the Leader of the House, His Excellency the Commander-in-Chief and Colonel Crawford? I say no. Let us make it perfectly plain to ourselves that in no department of life, neither in the Army nor in civil matters, neither in taxation nor in expenditure, is this Government welcome to us to-day. Do not make the resentment grow in volume and do not deepen the wounds which you are causing every day. Try if you can to mend your ways—your last chance is this year—try if you can come to terms. But I know you are not likely to come to terms. I know that you are carrying on a vigorous propaganda against us and there is no disposition in England to come to any terms with us. Therefore, we are certain that Providence has determined that we shall win Swaraj not only through our own patriotism but through the blunders, through the criminal negligence and through the provocative attitude which the Government is adopting. I have every reason to think that we are perfectly justified, according to the best Parliamentary traditions, in criticising His Excellency the Commander-in-Chief and his supporters in this House, and I associate myself also with that aspect of the debate which has been raised. Sir, I cordially support the motion which my gallant friend, as I should like to call him, moved so ably.

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): Sir, while a really good constructive criticism was going on from the Opposition Benches it is unfortunate that some of the remarks of Colonel Crawford should have confused the issue and made it necessary for the Leader of the Opposition Party to make some remarks which can be regarded only as a sort of general criticism. I will try to confine my remarks to a few things which concern chiefly the nation-building department, as it was called by His Excellency the Commander-in-Chief. But before I do that, I must say that I entirely agree with my Honourable friend Colonel Crawford that we must maintain in this country a sufficient number of rifles, keeping in view the number of rifles which the men in the Frontier have got and such other considerations. But I would propose to Colonel Crawford to consider whether it is not possible for us to maintain the same number of rifles, rather more rifles than we have got at present and pay less for them. If he is convinced that we can get a larger number of rifles with the efficiency which is essential and we can still bring down the Budget by a few crores, I am sure Colonel Crawford would agree with me and he would welcome that proposal.

So much has been said about Indianisation of officers in the Army that I would not like to add a word to it, but I would confine myself to

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the condition of the soldier ranks. At present Sir, there is much unemployment among ex-soldiers. I think if a railway workshop containing about 200 labourers is closed down, the Honourable Sir George Rainy feels quite upset, even if he thinks that he has got to close down a certain shop, he must try to find out some means of giving employment to these people who will be thrown out of employment by doing so. I wonder if His Excellency the Commander-in-Chief ever thought, when he was going to demobilise a very very large number of soldiers, what would happen to them when they would not be able to do any other job after giving up their soldiering? In my own district, I know that there are at least 15,000 soldiers who served in the Great War and were then demobilised and who are without any employment now. The same is the case elsewhere, without pensions, Sir, most of them. The same is the case with a large number of soldiers, thousands in number, in Rawalpindi, Campbellpur and other districts. Now, I would request the Army Secretary to consider whether it was right that such a large number of men, who proved very efficient during the Great War, should have been demobilised without giving them any employment. Sir, it may be said that this demobilisation was bound to come and took place everywhere. Even in England they had to demobilise a large number of soldiers after the War. I agree. But in England they had to demobilise because there was no other alternative. Naturally no sensible man would suggest that just to give employment to a certain number of persons one should keep up the military budget and pay more than one ought to pay. But so far as India is concerned, they could afford to avoid this unemployment but they have not done it. As it has been definitely established that the cost of one British regiment is equal to that of 7 Indian regiments, it would follow that if we were to demobilise one British regiment we would have enough saved to maintain 7 Indian regiments. So the number of rifles would be increased. Instead of 1,000 rifles, they will have 7,000 rifles, and so far as efficiency is concerned, particularly in fighting on the side of the frontier, I hope there is no military officer of any experience, who would not agree with me that the Indian soldier has proved much more efficient than the British soldier. This is chiefly due to the climate there. Naturally, a British soldier, who cannot remain in the plains, even in a cantonment, without any fight, during the summer season, and who has got to be sent to some hill station, how can you expect him to go and fight during the months of June and July near the Khyber Pass? So the Indian soldier has proved and still is sure to prove more efficient than the British soldier on the frontier side. Therefore, if the only fear is from 'frontier', I would strongly hold that the demobilisation of a few British regiments and the enlisting of a fairly large number of Indian regiments would not do any harm, so far as efficiency is concerned.

Another point, Sir, in this connection is the proposal to give 6 vacancies at Sandhurst to Viceroy's commissioned officers. At present the military have stopped direct recruitment of Viceroy's commissioned officers. A few years ago they used to enlist young men as direct Jamadars. Under the present rules they do not enlist anybody as direct Jamadar, but he must join as a soldier. In the first place, it will be very difficult to persuade educated Indian young men to come forward and join as soldiers in the Army on a pay of Rs. 20 or Rs. 25 a month. Therefore, even

if we persuade them to join before they become Jamadars it will take them 5, 7 or 8 years, and unless they become Jamadars they will not be entitled to be given a King's commission and sent to Sandhurst. Again, the question of age would come in. Supposing they join the Army at the age of 18 and they become Jamadars at say 25 or 26, and then they go to Sandhurst and come out as Lieutenants, they would probably retire before they become Majors. Therefore, if the object is to give 6 King's commissions annually to Viceroy's commissioned officers, then I would request His Excellency the Commander-in-Chief to make direct recruitment as Jamadars of Indians who are really suitable young men and who after a short time, if they prove fit, can become Lieutenants. I do not mean to suggest that all the posts of Jamadars should be filled up by direct recruitment, but what I would suggest is that a certain number of these posts, say if we are taking 6 annually, then 10 posts of Jamadars should be filled by direct nomination.

There is one more point, Sir. The recruitment of certain castes of Mussalmans is stopped in various regiments. I know even in the case of the Sayeds, who are a highly respectable Mussalman caste and who have proved very fit in the regiments in which they were enlisted at certain times, orders have been issued that they cannot join some regiments. I had a talk with some military officers who said that this was due to the fact that the Sayeds command great respect from the soldiers and therefore it will not be desirable to take them. I do not think this is such a crime that they should be debarred as a caste from joining the Army.

I would request the Army Secretary to tell us what objection he has got to keeping the British soldiers in the same numbers as at present. I have proved that so far as the Frontier is concerned, the Indian soldier is quite efficient. So far as loyalty is concerned, you can entirely depend upon him. I do not think any more trying circumstances would come than the Great War, when the Mussalman soldiers had to fight against the Turks, and in Arabia, and had to attack Baghdad, but still they proved loyal. During the non-co-operation movement and the 1919 disturbances you cannot give us a single case of an Indian soldier who proved disloyal. Even in the Khilafat agitation when there were *fatwas* by Ulemas that they must resign—*farj main naukri harqam hai*—you could not give me even half a dozen names of Indian soldiers who resigned. This shows that they proved absolutely loyal and therefore, if the object of keeping a large British Army is simply due to your not trusting the Indian soldiers, this is very unfair to them.

There is only one more point, and that is about the Army Remount Department which was called by His Excellency the Commander-in-Chief as a nation-building department of the Army. I must acknowledge at the very outset that this Department has done a good deal of service and there is no denying the fact that the number of good mares and horses which are now produced in India would not have been produced but for the assistance of this Department. In 1901 and 1902, the Army Remount Department offered 2 squares of land to each man who brought a horse which was approved by the officer of the Army Remount Department. So what happened? Some of the Zemindars sold their property—their ancestral property—their houses and lands, and bought a mare for

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Rs. 800, 900, or Rs. 1,000, and took it to the Remount Officer. After that mare was approved, 1 or 2 squares of land was allotted to the man. That was in 1901. The Government wanted to make the acceptance of this land as attractive as they could to these Zemindars. At present the number of such Zemindars who have taken land on these horse-breeding conditions is very nearly 4,000 or 5,000, and they mainly exist in the Sargodha, Gujrat, Lyallpur and Montgomery districts in the Punjab. I have received general and wide complaints that these people are very unhappy. Many new conditions have now been gradually imposed upon them and at present they really do not know what to do. They have not got their homes. They have sold their houses; they have sold their lands and come and settled in these new lands. They have now settled there for about 20 or 22 years. They are now troubled to such an extent that they would very much like to give up the land and go back to their old places if they could possibly do so. The first thing is that some of the Army Remount Department officers are very unsympathetic. I have got certain cases with me where the land has been confiscated on very ordinary grounds. I give one instance. There was one Muhammad Hussain, Abadkar, 95 S. B., Tehsil Sargodha. His mare lost a colt in 1926 and again in 1927. His land was confiscated for 5 years. There are many other instances in which even if the mare is a little bit overfed the owner is fined heavily or his land is confiscated. Besides, these people are under a dual control, the control of the Punjab Government and the control of the Army Department. If they keep the terms of their contract and fulfil all the conditions imposed upon them by the Army Remount Department, still, if there is any criminal suit against them or there is a police complaint against them, the civil authorities may confiscate their land. If they behave properly and the civil officers are quite satisfied with them, yet if they do not comply with any of the conditions imposed by the Army Remount Department, that department may get the land confiscated. These people are living under such difficult circumstances. Then, Sir, another complaint which they have got is that they are forced to sell the mares by the Army Remount Department officers. A mare which may cost Rs. 1,500 is bought by the Army Remount officers for Rs. 400 or Rs. 300 and *vice versa*. I would strongly urge that this buying or selling of mares by the Army Remount Department officers should be stopped altogether. I know

Mr. President: Order, order. I do not know how the Honourable Member connects the reduction of this vote with the price of a mare.

Raja Ghazanfar Ali Khan: Sir, the reasons are obvious. (Laughter.) Then, Sir another grievance which these colonists have got is that when the Army Remount Officers go to inspect the mares, all the persons are made to stand together in a line and on very ordinary excuses they are abused and beaten. This is a serious charge but I make this charge because I have got instances, which I do not like to quote, where this thing has actually happened. It is most unfortunate. Almost all the big landlords of that district who can approach the officers have themselves got land on these conditions, and therefore, as they are very intimate with the officers, they do not mention these grievances before the higher

officers. The unfortunate thing is that the price which has been fixed by the department to be paid to the Zemindar when the Army Remount want to buy a colt is not paid on the same scale as prescribed, so much so

Mr. President: I hardly think this is relevant to the question before us now.

Raja Ghazanfar Ali Khan: I will bring my remarks to a conclusion, Sir. I have got many more grievances to relate. I trust the Army Secretary would devise some means of satisfying himself.

Mr. President: But you do not want the Army Department to continue

Raja Ghazanfar Ali Khan: I have not said, Sir, whether I want the Army Department to continue or not. (*An Honourable Member:* "If the cut is carried there will be no Army Department.") I do not know whether the cut will be carried or not. (*Another Honourable Member:* "I hope you will support it.") I will bring my remarks to a close. I would request the Army Secretary to look into these grievances. If I had time I wanted to tell him that I have received complaints from the Viceroy's commissioned officers that they are not well accommodated, and that they have not got good quarters. Soldiers as well as Jamadars and Subadar-Majors—they all blame the Assembly for that. They say, whenever we make a request to our officers, they say "the Assembly will not pay us money". That is what the Indian officers and the other ranks tell me. They are under the impression that the Indian Members of the Assembly are opposed to their getting all the comforts which they are entitled to. But so far as I know, there is not a single elected Member in this House who would not like to afford all reasonable facilities to these Indian officers. Whenever we talk about extravagance in the military budget, what we generally mean is that this extravagance exists so far as the maintenance of this large number of British troops is concerned, so far as the spending of an enormous amount on the comforts of British soldiers is concerned. Dr. Moonje told us the other day that the money spent on the education of sons of Indian officers is very, very small, as compared with the amount spent on the education of the sons of British soldiers, and so on. But there is not a single Indian Member, I want to make it clear, who is opposed to providing all reasonable facilities and comforts to the Indian soldiers and Indian officers in the Military Department.

Sardar Muhammad Nawaz Khan (Punjab: Landholders): I feel, Sir, that while discussing matters of high policy the Members of this House have ignored one or two important factors, but before I say a few words about those points I would like to associate myself with the remarks of my Honourable friend, Mr. Srinivasa Iyengar, when he said, or at least I took him to say, that His Excellency the Commander-in-Chief should not be a Member of any of the Legislatures. I do think that he, like Their Excellencies the Governor General and the Governors, should be kept out of the Legislative Assembly and the Council of State, and some other official, like the Army Secretary, should be deputed to make statements in these Houses. I also want to thank my Honourable friend, Raja Ghazanfar Ali Khan, for advocating the cause of Indian officers, i.e., Viceroy's commissioned officers, and of the ex-soldiers. I quite

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agree with him that they are suffering a lot and it would be in the interests of India, and especially of the Army Department, to improve their prospects. We do not often hear about them in this House for several reasons, chiefly, because most of the Members are not aware of their conditions and the difficulties under which these people are living. I do not want to go into details; perhaps some other occasion will be more suitable. For the present I only want to submit that as far as the principle of Indianization is concerned, every Member in this House is of opinion that it is in the interests of India to Indianise the Indian Army. If there is any difference of opinion, then that is only with regard to the system that ought to be followed. There are some of us who think that the methods which have been adopted in the past or which the powers-that-be propose to adopt in the future are not adequate; I am one of those who think that these are not the correct methods. We want a national army. For this purpose it is not sufficient that every year a few King's commissioned officers should be appointed. I tread perhaps on thorny ground when I submit that if we really want a national army then we must at least start to do away with the present system of recruitment of the rank and file in the Indian Army. Members in this House are aware that the Army at present is only recruited from certain classes or clans. An Indian may be medically fit, but he is not therefore necessarily eligible for enlistment. I am quite aware of the difficulties which we may have to face if we seriously take up this scheme, but I cannot understand how it can be possible to avoid them. The aim is to create a national army; it will only exist when we have a mixed army. At present an Infantry battalion has class companies, *i.e.*, one company is recruited from a certain class of people and another from another class, and so on. I have already said that there may be difficulties if we raise these mixed battalions; battalions without any class companies or class platoons or class sections. These difficulties cannot be overcome just now, but there is no harm at all in making a start. If I may suggest, I think at least one mixed battalion in every Command may be raised immediately. These battalions will, of course, enlist people who are now enlisted in the Indian Army and people who are now kept out of it. The mere fact that a few Indians will be appointed as King's commissioned officers every year is not going to make the army now known as the Indian Army a national army. I was told only the other day by one of my friends that in about 300 years all the King's commissioned officers would be Indians. (An Honourable Member: "They cannot all be Indians.") Not even after 300 years? Let me say, after an indefinitely long period they may all be Indians but.

Pandit Motilal Nehru: If every one of them lives for 300 years.

Sardar Muhammad Nawaz Khan: The rank and file will, even then, be recruited from certain classes. I do not propose that the present system be done away with at once, but if we really want to have a national army then I cannot see how it can be allowed to continue. (Mr. M. A. Jinnah: "Quite right.") It may perhaps be desirable to start with 4 battalions, one in every Command, of these mixed soldiers: every person whether he belongs to a class which is at present admitted to the Indian Army or not, may be eligible for enlistment. The progress made by these battalions will give us an idea as to how long it will take to create a national army.

I am quite aware of the difficulties but we will have to face them, and the sooner we make a start the better it would be for all of us.

With regard to the few King's Commissions which are going to be allotted in future to Indians, it has been said at different times and in different places that it is not possible to find 10 or 20 suitable persons for this purpose. I do not share that view; I do not contribute to that idea. I think it is very easy to find 10, 20 or more suitable Indians to fill those vacancies if only the right sources are tapped. I think we have got very good material among people known as the Viceroy's commissioned officers. Among them there are suitable men, young men, men who would make excellent officers, men of whom any army may be justly proud. I am quite aware that they are not so well educated, but one is never too old to learn if he is not too wise to be taught, and if these people can be given educational courses for one or two years at Government expense, then I am quite sure that they would make suitable and very efficient officers, and that they would be the people who will stick to the army, who will make the army their profession. I do not want to go into details. Perhaps it may not be quite the right thing to do. People who go to Sandhurst now find that their prospects in the army are not very bright. Though they have not got many careers open to them even then, with the help of my friend Sir Denys Bray, they try to get into the Political Department. Take the figures. Many people who went to Sandhurst and came back to India as officers have gone into the Political Department. I know many who are even now thinking of going into the Political Department if only that kind gentleman, Sir Denys Bray, would allow them to do so; and there are other jobs which are anxiously sought after by people who are now King's commissioned officers; jobs as executive officers and officers of the Remount Department. I think no Indian has so far been admitted to the Remount Department, but I know that there are many who are anxious to be appointed to this department. These are not the sort of people, and I am one of them, who are required for this purpose. What is the use of giving commissions to people who will not stick to the army. The people who will stick to the army and will make the army their profession are the people who are now serving as Viceroy's commissioned officers, and it is not right to say that the material is not there. There are any number of Viceroy's commissioned officers who are quite suitable for King's Commissions. I know many of them; I live among them. I have not the honour of representing them here; Captain Kabul Singh has that honour and he knows more about them than I do. I live in the same part of the country as my friend Raja Ghazanfar Ali Khan, and he knows them as intimately as I do. I am quite sure that if opportunities are given to them then they will make good King's commissioned officers.

Mr. B. Das: Do you want them to go to Sandhurst or do you favour an Indian Sandhurst?

Sardar Muhammad Nawaz Khan: I am just coming to that point. I had the honour of appearing before the Indian Sandhurst Committee in the days when my Honourable friend Pandit Motilal had not resigned and my Honourable friend Mr. Jinnah was also there. I had suggested that the present Dehra Dun College should be transformed into a sort of college where people from the Indian schools may be admitted and after staying there for a year or so they may be commissioned into the army: just

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as people got commissions in the army from different Universities in England. That was my view and I could see that it was not much liked at the time, but now seeing the result of the efforts of the Skeen Committee I believe that my friends, had they agreed to my proposition, would have gone more ahead with Indianization than they have otherwise.

There is not much else to be said except that even in these few vacancies that have been allotted to Indians I think it is not proper that only six should have been reserved for people who are now holding Viceroy's commissions. I think it would have been in the interests of the army and in the interests of India generally to reserve more vacancies for them. I do not advocate that they should be taken as they are, but permit them to qualify and if you find that they are suitable then take them. The other point which I wish to bring to the notice of my Honourable friend Mr. Mackworth Young is that no provision whatsoever has been made to enable officers holding commissions in the Indian Territorial Force to enter the commissioned ranks of the regular army as is done in England. I think it is in the interests of India that people in the Territorial Force should be encouraged, and that encouragement would have been forthcoming had officers of the Territorial Force been permitted to qualify for commissions in the regular army. We have got to bring a better class into the Territorial Force than that which is there at present. I am not in any way reflecting on the present officers of the Territorial Force, but I know as a matter of fact that better people could have come in to the Territorial battalions. For the reason that a sufficient number of vacancies has not been reserved for Viceroy's commissioned officers, and for the reason that no provision whatsoever has been made for enabling officers of the Territorial Force to qualify for commissions in the regular army, I will support the motion of my Honourable friend Mr. Chaman Lall.

Captain Kabul Singh Bahadur (Punjab: Nominated Non-Official): Sir, my Honourable friend opposite appeared to me to be rather speaking under passion than with reason, though it is a passion for the love of our country, when they say that British troops should be eliminated to make room for Indians. This may be desired by them but they must not forget that whatever the causes may be Indians of equal fitness and education are not forthcoming in numbers enough to replace British troops. Honourable Members perhaps do not know that in modern warfare there are many occasions when a single private soldier himself is the only person who represents his side and on whose correct and immediate appreciation of the situation rests the victory or disaster for his side. Are all the private or even the non-commissioned officers of the Indian Army able to rightly understand the position and perform in the nick of time such acts as signalling or writing a message or throwing up lights or signalling to aeroplanes the necessary signal to save the occasion? No, Sir. We have very few non-commissioned officers and men who can do this. Therefore I appeal to my enthusiastic countrymen to move slowly. Let us first spread education in the country, so that youths with some education could be found who will come and serve in the Indian army. Then and then alone we could think of replacing British soldiers *in toto*.

Now, Sir, the grievance that Government are killing the military spirit is not understood by me; the birds of military spirit are not captured and kept in a cage by the Government and daily taken for breakfast. Let my

countrymen who are anxious to become soldiers cultivate physical strength, play open-air games, take part in races and other competitions, and thus prepare a material which is in demand for the army, and Government will come with pleasure and make their choice, because Government only want able-bodied and intelligent youths for the army, and will always be willing to take such men.

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadan): Sir, my friend, Mr. Kelkar, has characterised the British policy as Machiavellian. I have been diving deeper into the Indian seas and the English seas of the military budget, and the more I dive deeper I find the more Machiavellian mysteries and wonders of the world, of which I presented a few the other day, and I propose to present a few to-day.

They have been raising of late the Royal Air Force in India, and they have been spending out of Indian revenues Rs. 2,26,50,000 every year. Out of this, Rs. 1,25,51,000 are spent in India, and Rs. 1,00,99,000 are spent in England. And how are they spent in England? If you look at page 308 of the budget estimates of expenditure on Military Services for the year 1928-29, the first item of payment is "Payments to Air Ministry for Troops serving in India". That means that Rs. 13,33,000 are to be paid to England for the loan of air troops for service in India; and as for their actual maintenance in India, who else shall pay but India? If they are on furlough and voyage, their pay is paid by India, Rs. 1,60,000. If they are married and produce children, their marriage allowances are paid by India, Rs. 9,33,000. Supposing they come to India and their health becomes a matter of anxiety, India must pay what is called National Health Insurance, and that comes to Rs. 16,000. Supposing they happen to be unemployed, India must also pay for their Unemployment Insurance because they have been serving India,—and that comes to Rs. 40,000. Their Contributory Pensions Act, 1925, costs us Rs. 48,000. Their consolidated clothing allowance comes to Rs. 26,670 which India has to pay. They want clothing besides, in India. India cannot produce clothing for them, and therefore Rs. 62,670 have to be spent in England for purchasing clothing for them for use in India. We have also to pay for what is called non-effective retired pay of troops for service in India and this alone comes to nothing less than Rs. 1,87,000. In all, what we have to spend on an Air Force in India, is Rs. 1,01,29,000 in England, and in India they cost us Rs. 1,25,51,000. Now, how many people are there in this Air Force? Having to spend more than two crores of rupees, how many people are there in the Air Force? British officers 224, and British other ranks 1,705, or 1,705 men and 224 officers, that is 1,929 men in all—and we have to spend on their account more than two crores of rupees. Yet, there is not one single Indian officer like the British officer, nor one single Indian airman like the British airmen in this Air Force of 1,929 men. We are told that India does not possess men capable of being turned out as efficient air officers or efficient airmen. But are these British officers and airmen, who are brought out here at such enormous expense, well trained in their art of airmanship? No. It is not that their education is complete, not that no further arrangements have to be made for their education, after they are brought out here: they have to be further educated and trained. Educational and instructional establishments cost us Rs. 41,760. The Royal Air Force education costs us Rs. 83,123; that is, Rs. 1,24,890 have further to be spent upon their general education and training as Air Force officers and

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troops, *after* they are brought to India and after India has paid more than two crores of rupees for having brought them out. More than two crores of rupees to be spent from the Indian revenues for such Air Force! I ask my friend, Colonel Crawford, is there any country in the world which spends two crores of rupees and yet that country has not been able to produce one single air officer or one single airman? Perhaps India is the only unfortunate country which presents the melancholy spectacle to the world of spending more than two crores of rupees, and yet not having one single Indian in that force.

An Honourable Member: Shame!

Mr. Muhammad Yamin Khan: There is the Aero-Club of Delhi.

Dr. B. S. Moonje: I am one of the persons responsible for it. Now let us see how our finances are being spent for what is called the military efficiency of India, the military protection of India. There is some such service known as the Military Engineering Service, and I shall only mention one fact in this connection. There are about 63,000 British men and officers and about 1,70,000 Indian officers and men in the Standing Army of India. Housing accommodation has to be made for them. For about 63,000 British men, new works for their accommodation this year are estimated to cost Rs. 10,20,000, and for about 1,70,000 Indians only Rs. 13,94,000. I will repeat: for 63,000 Britishers Rs. 10 lakhs are required and for 1,70,000 Indians Rs. 13 lakhs. That is the way efficiency is to be maintained in India. Sir, I can understand efficiency in terms of competency,—educational, intellectual, instinctive leadership, personal bravery, courage and intrepidity in fighting. I can understand efficiency in these terms. I cannot understand efficiency in terms of colour, the colour of the person who is going to the battlefield. It has never been said that Indians, Indian soldiers, are wanting in fighting capacity or initiative leadership. I shall only quote from your own book which I have found in this Library. This book is called "Deeds of valour performed by Indian officers and soldiers from 1860 to 1925". This has been written by the Army Department and presented to His Excellency, our friend; Field-Marshal Birdwood. I am speaking here of only two of the qualities that go to make what is called military efficiency, initiative leadership and personal courage; these are the two qualities of which only two instances I shall quote here.

"On the 13th March, 1860, a large number of the Mahsud Waziris"

—of whom we are frightened so much by Colonel Crawford and European officers on the other side—

"On the 13th March, 1860, a large number of the Mahsud Waziris left their hills at the Zam-Nullah with the avowed intention of plundering the town of Tank."

At the outpost there were no British officers and no British soldiers. They were all Indian soldiers under Indian officers. There were no British officers to guide or to hearten them or to put courage into them or to give any skill to Indian officers and Indian men. Their chief officer Rissaldar Ukwak Singh collected all his men, only Indian soldiers, at the outpost

and what did he do? He went out leading his men to meet the enemy in the face:

"The Waziris opened fire and Rissaldar Ukwak Singh finding it was not the place for cavalry to act"

—because there was the *nullah*—

"consulted with Rissaldar Shadut Khan and both agreed that it would be better to retire. . . ."

He consulted his brother officer and asked, "Is it right that we should give battle in this *nullah* or make a feigned retirement," which we Mahrattas are so very fond of, so as to give the enemy to understand that we have been defeated and bring him into our parlour. Ukwak Singh with the intrepidity and the initiative leadership that he possessed said "No, I shall not give battle in this *nullah*, but I shall make a feigned retirement and make the enemy think that the day was his"

"The movement succeeded admirably; the enemy thinking the day was their own, followed the cavalry until the latter had nearly reached Tank"

—that was the village which they wanted to loot—

"when the halt was sounded, the cavalry fronted at once, fired a volley into the enemy, drew their sabres and charged right away into the middle of them. This sudden and unexpected attack was too much for the Waziris, who turned and made off towards the hills, though at times they fought bravely in small bands when caught up by the cavalry . . . leaving between 200 and 300 of their tribe dead on the plains, out of the 3,000 they brought on the field . . ."

I am quoting this as one instance of instinctive leadership of which much is being made and in which, we are told, we Indians are wanting; it is being said that Indians are lacking in that quality of instinctive leadership and therefore British officers have to be imported at such a heavy cost. I want to quote another instance and that is of personal bravery, a little thing, as we are frightened with, a very little thing, a thing of frequent occurrence in the trans-frontier towns:

"Sowar Yhundah Singh attacked three Waziris single-handed. He cut one down with his sword and short the second, the third escaping among the bushes."

"Well, Sir, these stories are not of my own making. They have been described by your own officers. And as for me, I might remind the House that the representatives of the East India Company, when they were thinking, about 150 years ago, of invading the territories of Tipu Sultan and Haider Sultan, thought that the Brahmins of Poona might best be called to their aid. Bapu Gokhale, the last representative soldier of the Peshwas, died fighting in the last battle of the last Mahratta War. When Nadir Shah invaded and massacred the people of Delhi and looted them, all the way from Poona in those days when there were no railways, no telegraphic wires and no telephonic messages, that Brahmin fellow, Raghunathrao Dada Bharari, came and pursued him right up to Attock on the river Sind. Did you then inquire from him: Have you brought your certificate of efficiency from an English Sandhurst? (Hear, hear).

We are spending two crores of rupees in India on the Air Force. I do not know how much Afghanistan is spending on its Air Force, but I know it has only lately sent out 25 people for being trained in Italy. Some have already returned to Afghanistan after their training. And supposing there

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is another Afghan war, as it was in 1919, and Afghan aeroplanes come right up to Peshawar and bomb it, I suppose your military authorities will go to them and ask them: "Have you brought your certificate of efficiency from Cranwell? If you do not possess it, you have no right to bombard us." (Laughter).

In the Military Engineering Service there are 102 commissioned officers, and not one of them is an Indian. Now, let us see how much they cost us. In the Military Engineering Service there are 189 British troops and 7,400 Indian officers and other ranks. Now, these 189 British troops cost us Rs. 4,98,030, that is, per head Rs. 2,635. 7,400 Indians cost us only Rs. 27,01,530, that is per head 365.

Now let us come to the pensions. As you all know money over the pensions is being spent in India and England. The total amount of the money that is spent on pensions in India is Rs. 3,35,01,880 and that spent in England is Rs. 4,91,52,000. In this connection, it should be remembered that the British Army in India hardly consists of 61,000 people, whereas the Indian Army consists of 1,58,000 men. Out of this sum of Rs. 3,35,01,880 that is spent in India on pensions, Rs. 32,57,530 are spent on the pensions of British officers and soldiers. So, on pensions alone we find by comparison that we spend on Britishers in India and in England Rs. 5,24,09,530 and on Indians we spend only Rs. 3,02,44,350.

Let us now see what is their efficiency. My friend, Colonel Crawford, and also His Excellency the Commander-in-Chief were very
1 P.M. anxious about maintaining the highest efficiency in the military. I am also at one with them. The Commander-in-Chief said last year—
Council Debates p. 3495—

"Closely allied to that, that is, adequate opportunity for Indians, is the question of efficiency which again is bound up with the maintenance of British recruitment."

This is exactly the thing which I have not been able to understand; and this is exactly the thing which no Honourable gentleman on the other side has been able to my knowledge to throw any light upon. Is it their intention to say that efficiency is a quality which resides only under the white skin and is a quality which is very rare or rather absent and lacking entirely under the black skin?

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Certainly not.

Dr. B. S. Moonje: My friend, Colonel Crawford, wanted to correct me and said that India does not spend 42 per cent. of her revenues, but only 33 per cent. I am not going to quarrel with him and I shall take his figure as he says. Is there any country, I ask him—let him name one country in the whole world—which spends as much as 33 per cent. of her revenues on the military

Colonel J. D. Crawford: I gave the Honourable Member the instance of Japan.

Dr. B. S. Moonje: Japan. I should inform him, spends only 10½ per cent

Colonel J. D. Crawford: Is my Honourable friend alluding to the total defence expenditure or only to her military expenditure?

Dr. B. S. Moonje: I do not know whether it is one or the other; this is a book written by an Englishman and I am quoting from it. It says that Japan spends hardly 10½ per cent. on her defence.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): May I ask Colonel Crawford whether he did not take the gross figures of revenue when he tried to determine the proportion of military expenditure to the total revenue of India?

Dr. B. S. Moonje: And now I will give him a present of what France is spending. I suppose.....

Mr. President: I think these figures were quoted on the last occasion by the Honourable Member. (Laughter.)

Dr. B. S. Moonje: I suppose he will not challenge my figures and my statement that France, as she is situated, has got greater dangers to expect from Germany than India situated as she is has; and if he wants to have a constructive proposal from me as to how the dangers of the trans-frontier tribes and the Afghan Army can be averted successfully, I will make him a proposal. Let him think over this proposition. You have got 60,000 British men in India. As an experiment, for three years, reduce it to 15,000, and increase the Indian Army which costs per head one-fifth or one-sixth of the British Army by, say, 50,000; that is, you will have 15 000 British soldiers and about 2 lakhs of Indian soldiers—sufficient for the needs of the defence of India. I will go one step further and say, recruit 50 000 more for the Indian Army; so that the Indian Army will be composed of 250,000 men, and the British will be 15,000. Raja Ghazanfar Ali Khan said—and if I had known he was going to say it I would have given him quotations from English officers—that in trans-frontier fighting the Indian soldier is a thousand times better than the British soldier. Therefore, I am making this constructive proposal to the Government; and, if my friend Colonel Crawford has got any influence with the Government, let him take up this proposal to the Government and get it sanctioned. I am not touching at present the quota of British officers required, because I know India cannot produce officers to-day as you have not been training Indian officers so far and as we have no arrangements at present for doing so. So I will not touch the quota of the British officers at all, therefore, Colonel Crawford need not be anxious about the efficiency of the leadership in the Indian Army. All that I am saying is that the British Army may be reduced to 15,000 as an experiment for a period of, say, three years and the Indian Army increased to 250,000. You will still be saving ten to fifteen crores of rupees from the Indian revenues. Having increased to that extent your military resources of India and having saved ten to fifteen crores of rupees, I say, start an Indian Sandhurst here. You may modify, you may amend or you may improve the Dehra Dun College, and you will find that in ten years' time India will have produced materials for officership of which you had not the remotest conception before, or rather you pretended to suppose that there were no materials in the country for producing officers. That blood which 150 years ago was found in India for raising Empires and subverting Empires in India and which has already subverted Empires, that blood was in our grandfathers, and now do you think that that blood is wanting in their grandsons? My father and my grandfather were in the Peshwa Raj,

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the Bhonsala Raj, and is it supposed that the blood that was in my father and grandfather is wanting in his grandson? (*An Honourable Member*: "No".) Sir, it is the Sikhs, it is the Rajputs, it is the Mahrathas and it is these in the Indian Mussulmans who have been responsible for our protection and defence, and, so long as these Sikhs, Rajputs and the Mahrathas will be found in India, we have no reason to fear the molestations, the aggressions, from the trans-frontier tribes and the Afghans. But with the policy that is now pursued by the British Government, what protection have we got from them? I will ask—what protection have we been getting from them, having spent, in the words of my friend Colonel Crawford, 33 per cent. of the revenues of India? I will reply in the words of my Honourable friend Mr. Howell who was in the Assembly last year in place of the Honourable Sir Denys Bray, the Foreign Secretary to the Government of India. From 1919 to 1925-26, raids on the trans-frontier border 324, 233, 129, 73, 45, 21 and 11. That is to say, in all these seven years the raids have come to 836. How many killed? 392. How many wounded? 564. How many lakhs of rupees worth of property was looted in these seven years? 16 lakhs and odd. All this has happened in spite of the subsidiary allowances, in spite of the gratuities that we are paying to the tribal people to purchase peace and friendship and immunity from molestations.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier: Nominated Non-Official): That was a state of war all over the world.

Dr. B. S. Moonje: But the war ended in 1918 and the history begins from 1919 and goes up to 1927. The figures I have just given relate only to two districts, namely, Bannu and Dera Ismail Khan. And what are we spending for the administration of these two districts, for military efficiency, for protecting India, for the defence of India, so that Indians within the frontier of India may not be molested by these tribal people? What are the British Government spending for all that? Mr. Howell says:

"In view of the military and civil administration the expenditure comes to between 7 to 8 crores of rupees every year,"

and now it has been stabilised at between 3 to 4 crores of rupees. 3 to 4 crores of rupees are to be spent on two districts alone in the Frontier in order to get security and peace in the bargain—to what extent? To this extent—836 raids, 392 people killed, 564 wounded and 16 lakhs of rupees worth of property looted.....

Nawab Sir Sahibzada Abdul Qaiyum: A state of war existed in 1919. There was the Afghan War and the tribes had to be punished.

Dr. B. S. Moonje: And the Honourable Mr. Howell has not been unmindful of the argument that he thought that he must put forth in order to carry conviction to us that we are really getting value for what we are paying. And what does Mr. Howell say? He says: "You must understand Indians". You are spending 7 and 8 crores on these two districts. This is not enough for the efficiency in their administration. What you have got in return for your defence is much more than you have paid for. Why? Because, he says—he frightens us—"they (i.e., the trans-frontier tribesmen of these districts) are not accustomed to pay for things themselves; they are accustomed to take the things they want". That is how he has described their frightfulness. That is how he has put those qualifications before us, so

that we may know them and we may be afraid of them. And the other day, yesterday, my friend Sir Denys Bray was so kind to us as to say that it was all for the protection of the Hindus; so that the Hindus who form the majority in this country may not object to the spending of this sum on two districts alone: so that he might come and say, 'Look here, even this immunity from molestation will not be purchased in the future unless greater sums of money are spent, because the people with whom we have to deal are of this nature. Well, if that is so, I was going to say yesterday, if I had been given a chance. I was going to request my friend Sir Abdul Qaiyum to join hands with me and demand from the Government that the time has come when the Defence of India should be transferred to us and when the Defence of India is a transferred subject, no responsibility for the defence of India will lie on the shoulders of Englishmen and then they will not say that the reforms are not to be introduced in the North-West Frontier Province, because they interfere with their scheme of defence. Belonging as I do to the great Hindu community, I am not a man to allow the Hindu community to be used as a pawn in the game which my friend Mr. Kelkar called Machiavellian—and some one here calls it super-Machiavellian'.

My friend Colonel Crawford was rather anxious to know whether we shall be in a position to produce officers whom men will follow. That is exactly what he said: "whom men will follow".

Colonel J. D. Crawford: I was anxious to know if you could produce such men; I said our object was to produce them.

Dr. B. S. Moonje: I am glad he has changed his position. So now he is certain that India can produce men as officers whom men will follow. I suppose that is his position now. And if that is his position, all the argument based upon efficiency that he has been urging in this House falls to the ground. And let him come with me and join hands with Sir Abdul Qaiyum and myself in asking the Government that the Defence of India should be the one subject that should be transferred. I have given you a constructive proposal for saving 10 to 15 crores of rupees by which India will be prepared to produce the officers. Here is a constructive proposal in Army matters. My habit has never been to introduce politics or to introduce any kind of ulterior motive in matters military, that is, the defence of India. The pure idea that I have in mind is that if thus trained I shall defend India and also the English Empire in India, if it remains, and it is from that point of view I am looking at the defence of India and it is from that point of view I have been studying military problems.

My friend Mr. Mukhtar Singh had asked a question:

"Will the Government be pleased to state the number of officers employed in the military grass farms? Will the Government be further pleased to state how many of them are Indians?"

These are officers not for fighting, but for the cultivation of grass, for how to cut grass, how to stock grass, how to keep it in a wet and good condition for the ponies or horses for the military. He asked how many Indian officers there were and the answer was "None". The answer was:

"There are nineteen King's commissioned officers employed in the grass farms branch of the Military Farms Department. None of them is an Indian."

That is efficiency run riot! That is the heartlessness with which an irresponsible person squanders the money of a country which at present is not in

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a position to make its voice felt with the responsibility and authority that it ought to. The other day His Excellency the Commander-in-Chief showed an amount of anxiety for the feeding of the Indian soldiers and he said, if I remember aright now, that the Indian soldiers are better fed in the Army than they are in their own villages. I think I am right in quoting him. Again my friend Mr. Mukhtar Singh had asked a question of the Army Secretary on the same subject. He had asked what was the Military Dairy Farm for? For milk, for cheese, for butter? And then he asked the question how much milk is being spent on, doled out or sold to the Indian soldiers. I will read the reply of my Honourable friend Mr. Young.....

Mr. President: Order, order. I think the Chair was after all right in not allowing the Honourable Member to catch its eye so long.

Dr. B. S. Moonje: I do not understand you, Sir. Am I not relevant? (*An Honourable Member:* "Finish your remarks.") I shall only read out the answer and finish. I do not want to take one more minute, Sir. **Mr. Young** said:

"3,630 tons of milk and 358 tons of butter were produced and sold during the year 1925-26. * * There is hardly any demand for dairy produce from Indian troops and practically nothing was supplied to them."

No wonder, then, that an Indian soldier hardly costs Rs. 365 per annum whereas a British soldier costs about Rs. 2,635, as I have said above.

(Several Honourable Members moved that the question be now put.)

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

Mr. N. M. Joshi (Nominated: Labour Interests): I propose to speak only for a short time on an aspect of the policy of the Military Department. That aspect concerns one of the nation-building departments of the Indian Army. His Excellency the Commander-in-Chief told us that he has under him a large number of factories and that he is thus encouraging Indian industries. Sir, it is in connection with these factories that I wish to offer a few remarks. The Army Department claims to treat their employees very generously; specially they claim that the soldiers forming part of the Army Department are treated very generously. Perhaps they may be treated very generously, or they may not be treated very generously; I do not know much about that subject. But the Army Department do not treat their industrial employees fairly . . .

Mr. President: And therefore you wish to reject the Army Department Demand?

Mr. N. M. Joshi: If they do not treat their industrial employees very fairly I do not care if the Army Department is abolished altogether.

Sir, the Army Department do not treat the industrial part of their organisation very fairly. They maintain 9 or 10 factories called the arsenal factories, ordnance factories, ammunition factories, cordite factories, and clothing factories, and in these factories more than 18,000 persons are working. Some of them work for a long time, for 20 years, some work for 10 years, some for 5 years, but, Sir, out of these 18,000 persons who are working in the Army factories, not even 1,000 persons are treated as permanent workers, although out of these 18,000 workers, more than 6,000 workers have worked for more than 5 years. I have got figures here for 7 factories out of 9, and from these figures you will learn that nearly 700 people have worked for more than 20 years, 1,769 have worked for more than 10 years, and 2,158 people have worked for more than 5 years. Although these people have put in long service, such as 20 years and 10 years, most of them are treated as temporary workers. I do not know why the Army Department should treat the workers of these factories as temporary when they serve such long terms as 20 years and 10 years. The only reason is that the Army Department, calling these people as temporary workers, give them bad conditions of service and work. If they are called permanent, then according to the Civil Service Regulations they must be paid pensions, they must be given leave. If they are called temporary, then they need not be given any leave or paid any pension. This seems to me the only reason why the Army Department consider most part of the workers employed in their factories as temporary. Of course, amongst the temporary people they make distinctions. Some people are called ordinary temporary people. Some are called extra-temporary on monthly salary and some are called extra-temporary on daily pay. So amongst the temporary people themselves they make three divisions. Some get some small privileges such as leave and some do not get any leave at all. The extra-temporary men, amongst whom there are a large number of people who have served in these factories for 20 years, do not get even a day's privilege leave or casual leave unless they forfeit their wages for the days of absence. Then the temporary men get a small amount of leave but these temporary men who are considered to be little superior to extra-temporary do not get either provident fund or pension. I consider that the Army Department are not treating the workers in these factories fairly. For the last two or three years I have been asking questions on this point and I am told that the Army Department in their generous mood are now thinking of establishing a provident fund for some classes of workers in these factories. Sir, that provident fund has taken nearly three years to mature and I do not know how long it will be before the scheme comes into operation, and even that scheme, when it comes into operation, is not likely to be of much use to those people who have served for 20 years or a little longer. They are not likely to get much benefit out of the provident fund. I therefore hope that the Army Department, when they establish a provident fund, will take into consideration the case of people who have a long period of service and who will not benefit by the scheme of a provident fund which they propose to establish. Then, I want the Army Department to reduce the number of men who are called temporary men. It is no good calling them temporary after 10 and 20 years' service, and it is not fair and just. I therefore suggest to the Army Department that, if they want to treat their workers fairly, they should give them the privileges of permanent

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men, and the sooner they do it the better. In this matter I must say that the Army Department are worse than the Railway Department. The Railway Department are maintaining some workshops and in those workshops even temporary men get some kind of provident fund and some kind of gratuity but the Army Department, which want to take care of their employees very well and therefore claim that more money is necessary for the Army and that the Army Vote should not be votable at all, do not treat their workers even as well as the railways are doing. The Railways give gratuities to their employees. When I studied this question at the cordite factory, I found that some gratuity was given to the employees out of the fines fund and the gratuity amounted to Rs. 10 or 15 after a man has served for 20 and 25 years. I feel that the Army Department are not justified in treating these men in this manner. The Army Department do not treat the men as permanent but at the same time they impose on them the responsibility of permanent Government servants. This to my judgment is unjustifiable. The workers in the cordite factory at Aravankadu have got a union and they wrote for the recognition of that union to the Army Department and the Army Department wrote to that union that as Government servants they cannot affiliate themselves to the All-India Trade Unions Congress and so, if they want recognition, they should disaffiliate themselves from the All-India Trade Unions Congress. I think, Sir, this is not quite fair. If the Army Department treat these men as temporary for pay and pension, let them not treat them as permanent Government servants for the sake of organisation, but for the sake of organisation they treat them as Government servants and impose on them the responsibilities of Government servants, that they should not take part in politics. If you want to treat them as Government servants, give them all the privileges. Give them the pension privilege, give them the privilege leave, the casual leave which is given to all other permanent employees of Government. If not, why should you say that these temporary men should not take part in politics? I hope the Army Secretary will see the injustice of not allowing these unions to be affiliated to the Trade Unions Congress. Then these people are not housed properly. I have seen how these workers are housed in Aravankadu. A number of these people have no proper housing accommodation to live in, and they are suffering from this disability. It is the duty of Government when they build factories at a place like Aravankadu, to provide proper housing for their employees. I therefore suggest that the Army Department should not stint money in building houses for the workers in these factories.

Not only are these industrial workers treated badly, but even the clerks in these factories are not treated fairly. Some years ago the Government of India appointed a Committee to enquire into the question of the position of the clerks in these factories. That Committee made certain recommendations in order to safeguard the rights of the clerical establishment. They recommended the creation of the post of Personal Assistant to the Superintendent, but the Government did not accept it. They recommended other things to Government which the Government would not accept. Then, Sir, the salaries were revised but were not adequately increased. The clerical establishment sent a memorial to

Government but nothing came out of it. Among the clerical establishment there are a number of section clerks who are not treated as permanent men. Some are treated as permanent, others as temporary men, and these clerks are not also properly housed in Aravankadu in the cordite factories. I do not know what conditions apply to other factories, but in Aravankadu they are not properly housed. Then the section clerks do not get the benefit of pension, provident fund and leave privileges. I suggest to the Army Department that, as the fighting portion is important and are given all the privileges concerning leave and pension, this industrial army of the Government of India should also be treated generously, fairly and justly.

I hope the Army Secretary will give proper consideration to the grievance of the men of these factories.

Mr. G. M. Young (Army Secretary): Sir, in attempting the annual and, in this House, somewhat forlorn task of defending military expenditure, Government has always been confronted first with the argument about the proportion which that expenditure bears to its other expenditure. This occasion has been no exception to the rule. My friend, Mr. Srinivasa Iyengar, said that he did not see why my friend, Colonel Crawford, should anticipate my statistics in this connection. As a matter of fact he has not entirely done so. I have one or two statistics to bring forward on this ever-fresh topic. It is admitted that the military expenditure of the Government of India bears the proportion of 41 or 42 per cent. to other expenditure from central revenues. Why that particular comparison should be taken I do not know. It seems to me meaningless. All it shows is how much of the central revenues are expended on subjects other than military. It would be a conceivable position that central revenues should be earmarked for defence alone. In that case my Honourable friends opposite would be able to point triumphantly to the fact that we spent a hundred per cent. of our revenues on military expenditure. But we must of course take the revenues of the country as a whole, and the expenditure of the country as a whole. If we do, the proportion of military expenditure amounts to about 26 per cent. If we go . . .

Pandit Hirday Nath Kunzru: Much more than that.

Mr. G. M. Young: If we go further and take the gross expenditure, without deducting what is earned by commercial departments, it comes to between 18 and 19 per cent. Now, Sir, I would be the last person to deny that even that proportion is high as compared with other countries. But before explaining or attempting to explain some of the reasons why it is high, I will deal with another hardy annual that comes up, the charge that we are incurring this great expenditure, and that we are maintaining this large army, for purposes outside India and not for the defence of India itself. No serious ground has ever been shown for that allegation. Honourable Members allege that we keep in India an army ready to go at the beck and call of the British Government, leaving India undefended (and they think that India would be quite happy undefended), and to attack other nations who may happen to be at war with Great Britain. That, Sir, is quite untrue. The strength of the Army in India is very carefully calculated. It is subject to constant revision, and the sole criterion of its strength has been and will always be external and internal defence of India. I am quite aware, Sir, that it will be my lot and the lot of my successors

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to repeat this statement every year in the Assembly, and that it is unlikely to be believed. Nevertheless the statement should be made. As I have said, I admit that the proportion of military expenditure is still high compared with other countries. There are of course other factors to be taken into consideration, besides the revenue and spending capacity of the country itself. I do not think that that is even the most important factor to be considered in estimating whether your military expenditure is too high or too low. My friend, Colonel Crawford, drew attention to the question of vulnerability and the extent of the frontier. There are other considerations which may make it necessary for one country to spend money on its defence, and which do not operate, possibly, in the case of another country. However, the fact remains, Sir, that under the present system of Government of India, we cannot expect any very great economies in the Army. We do all we can and we are always on the look out for some way of reducing that expenditure; but those modifications that we can make, or hope to make in the next few years, will be nothing very much. It must be patent that a country which has a foreign government will spend more on its defence than a self-governing country. We all readily admit that; there can be no doubt about it. The remedy, as my Honourable friend Mr. Srinivasa Iyengar points out, is perfectly simple. India can become self-governing and manage its army to-morrow; the British can withdraw and take their army away with them. Simple as it is to state, it is not so easy to carry out. And that brings me to one of the main reasons why the Army in India is more expensive than other armies. British troops have to be maintained, and British troops in India are more costly than Indian troops in India and more costly than British troops in Britain. The number and the ratio of British troops depend upon strategic considerations. Suggestions have been made for reducing the ratio. I think there was a suggestion made in this House that we could defend the frontier with one quarter of the troops that are at present engaged in defending it. That proposition, Sir, is perhaps rather too definitely stated, but the number of troops required for the defence of the frontier is under the constant examination of Government. It is however a strategic question, essentially a question for the experts. The same thing applies to internal security. It has frequently been suggested—and here we find everybody against us, even my friend Colonel Crawford—that we can do with fewer British troops for internal security than we have now, that we could substitute Indian troops and armed police. Well, Sir, I repeat that that also is a strategical matter, on which we must be guided by the advice of our experts. Those of us who have been district officers know that in certain parts of India—I will not say the whole of it—in certain parts, conditions are such that British troops are the best insurance against internal disturbances. I am not speaking of the time when the disturbances have broken out. Any disciplined force of course can be made to undertake the terrible duty of quelling riots by force. I am speaking of the time precedent to that. If you can display a small number—it may be—of British troops in time, you very often can make sure that there will be no disturbance. It is the masses, the lesser educated masses, particularly in large towns, who for one reason or another—I do not know what it is—find confidence in the appearance, not of armoured cars or machine guns, but of British troops. And the third reason, Sir, for the maintenance of British troops in the requisite proportion in the Army in India is that they do form an integral part of the scheme of that Army. It is not a question

of counting heads and saying that one Indian soldier is just as good as one British soldier. The Indian Army is composed of some of the finest fighting material in the world. (Applause.) Everybody knows that. We always endeavour on our side to avoid that sort of comparison, but the fact remains that there are certain things which British troops do better, and there are certain things which Indian troops may do better, especially some of the older units, who have served and fought with us for a very long time. That is why we maintain a proportion of British troops. It may be said, if you feel inclined to put it that way, that the one stiffens the other.

Pandit Hirday Nath Kunzru: Will the Honourable Member kindly speak a little louder?

Mr. G. M. Young: I was rather afraid that my Honourable friend Pandit Kunzru would prefer his usual complaint that I am inaudible to him. I will attempt to raise my voice again.

That is one inevitable reason for the fact that the cost of the Army in India is greater than it would be in a self-governing country. Honourable Members may blame us for that. I have another reason for which, I think, Indians themselves must bear a portion of the blame. Take the case of mechanical transport. It is one of our very largest items of expenditure, and its proportion to the whole is bound to increase as time goes on. Now, Sir, why is it that our mechanical transport is so expensive? It is due to the simple fact that in the whole of India, with all its resources, there is not a single firm that can make an internal combustion engine. Any other country will draw upon its civil industries for its mechanical transport. It will pay less for the vehicles, and the money that it pays goes into the general prosperity of the country. I do not know whether the time will come when indigenous firms will be manufacturing motor engines in India, but, until that time comes, there is a method by which economy can be effected in this particular line. It was indicated by His Excellency the Commander-in-Chief when he was speaking the other day. At present we have to import all our mechanical transport vehicles and keep them, as the saying goes, in cotton wool, until we require them on mobilization. It is a most expensive and wasteful system, but it is the only one that at present can be worked. Now, the whole of India, as Honourable Members know, is seamed with motor omnibus lines running from railway stations to places not on the railway, or joining up one railway line with another. At every station almost you see two or three of these vehicles waiting to take passengers. If we can only get the owners of such concerns to use a kind of vehicle which would also be useful to the Government in time of war, we should get over a great part of this difficulty. It would pay us hand over fist to subsidize such firms: and I hope that, perhaps during the investigations of the Road Committee, this question will be seriously taken up.

Now, Sir, I will turn to some of the individual criticisms that have been made in the course of this debate. My Honourable friend Pandit Kunzru drew attention to a recommendation of the Inchcape Committee which was to the effect that by increasing the strength of the reserve, Government should be able to reduce the size of units maintained on the permanent peace establishment by, I think, 20 per cent. He asked what had been done? Well, Sir, in the year 1923, sometime

3 P. M. after Mr. Burdon had made the statement on the subject to which he referred, the peace establishments of Indian infantry battalions

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were reduced by 64 men. That is not of course as high a percentage as the Inchcape Committee recommended. On the other hand, we have got as yet nothing like our full reserve, the reason of that being that the men have not yet had time to pass in full numbers from service with the colours to the reserve.

Pandit Hirday Nath Kunzru: What is the prescribed size of the reserve?

Mr. G. M. Young: I am just going to give my Honourable friend some figures. The authorised strength of the reserve of infantry is 24,320 men, and the actual numbers are—the Honourable Member will find all these figures in the budget statement—18,160. That is to say, we are short by 25 per cent. in infantry alone. In the artillery, the authorised strength is 2,520, and the actual strength is 1,258. In the cavalry the situation is even worse. The authorised strength is 2,943, or practically 3,000, and the reserve at present consists of 917 men. I do not think I need trouble the House with details of minor services. But I have said enough to show that if the peace establishment of battalions is to be further reduced, we have got to wait until our reserve is full.

Pandit Hirday Nath Kunzru: May I ask the Honourable Member to explain one thing, if he does not mind it? The size of the reserve for infantry is stated in the estimates as being a little over 26,000. How does he give us the figure of 18,000 for it?

Mr. G. M. Young: I am afraid my Honourable friend is still unable to understand me. What I said was that the authorised strength is 24,320.

Pandit Hirday Nath Kunzru: It is given here as 26,320.

Mr. G. M. Young: It may be 26,320. My Honourable friend has the book before him. Anyhow the actual strength is 18,160. Those are all the reserves that we have. That is my point: we have not got the authorised strength. I hope I have made myself clear.

Now, Sir, my Honourable friend, Colonel Crawford asked me a number of very searching questions; and he began by inquiring whether I was satisfied that the Army was in a full state of efficiency, whether I was satisfied that their equipment was exactly what it should be in all respects, whether I was satisfied that the Army could mobilise exactly as it ought to mobilise and in the quickest possible time, and finally whether I was satisfied that our troops can contend against an attack by air in which gas would be used. Well, Sir, if I were not fully satisfied about these points, does my Honourable friend for one moment think that I should get up and admit that publicly? I wish to say that we are satisfied that everything is being done, that all money that can be spent is being spent, and that we shall leave no stone unturned to ensure that when the day of mobilisation comes, which I hope never will, we shall go into the field equipped satisfactorily in all respects. But I cannot at any particular stage get up and tell my Honourable friend, supposing it were the case, that we are short of this or short of that. I can only tell him that we shall see to it that when the time comes we shall be short of nothing.

He then raised a subject which has been occupying the consideration of Government for a considerable time, and that is the accommodation of

our officers. This is a difficult and thorny problem. In some of our cantonments Government own all the bungalows, and have sufficient space to build more when required, and there is therefore no difficulty. But in the great majority of cantonments the housing of officers is done by private landlords who were granted, many years ago in the case of the older cantonments, sites on which to build bungalows for occupation by military officers. That was the reason for which the landlords were granted those sites. And as I say, in the case of many cantonments these sites were granted some time ago, and the terms of the grants were not too clearly defined. Well, as time went on, Honourable Members know that it became increasingly common for Indian gentlemen to come out of their houses in the cities into the neighbouring civil lines. It is exactly the same in cantonments. Landlords, who own perhaps only one house, there naturally say: "Why should we not come out and live in our own houses?" The answer of course, is, "You were given the site to build a house for the accommodation of officers". Anyhow the number of officers in a particular cantonment and their requirements in the way of houses fluctuate, and in several cantonments we find that landlords have been finding their way into their own houses, and in some cases a very acute situation is arising or will shortly arise. Now, the Government are by no means blind to the situation. It is not a problem which you can solve by a general policy for all cantonments in India, because the circumstances vary. In one cantonment the other day there was a certain amount of trouble about the landlords not keeping up the houses properly—it is very difficult to make them do so even under the House Accommodation Act which was passed a few years ago in order to solve this problem. We sent an officer down there and by private treaty—we had a little money to spare—he bought up every bungalow in the station and the situation in that cantonment is now quite satisfactory. The landlords have got very good prices for their bungalows, and the officers have secured the necessary accommodation. In another cantonment the position is very different. The city is tremendously congested and the cantonment is none too spacious. It is the headquarters of a very important military district, and the number of officers is very great. Further, that cantonment has the advantage of being an armed camp behind barbed wire in a locality which is none too secure. The natural tendency of the landlords is, therefore, to come out of the city and get into their own houses in the cantonment. About that particular place inquiries are being made, a special officer is being deputed for the purpose, and I hope that we shall be able to come to a satisfactory arrangement there again with the landlords.

In other cantonments this problem is not present. I went to a cantonment the other day in the south of India and asked officers how the house accommodation was. They said they were perfectly happy, there were plenty of houses extremely cheap, the compounds were good, the landlords were friendly and did not exhibit any desire to turn officers out of their bungalows. So it will be seen that it is a problem which has to be tackled cantonment by cantonment. I assure my Honourable friend that this question has been exercising the thought of the Government for a considerable time and that Government are by no means blind to the situation.

He then referred to the question of travelling allowances. That is rather a small question. He mentioned that officers did not get enough

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for travelling between Simla and Delhi to cover their expenses. The reason of that, Sir, is that military officers there are not subject to the military travelling allowance rules, but to what are called, I think, the Simla Hill Allowance Rules. Those are the rules which govern officers' travelling between Simla and Delhi: and though, under these rules the lower paid officers, both civil and military, do get ample travelling allowance, the higher paid officers—I am one of them myself—are always out of pocket over their journey. If my Honourable friend wishes to have that matter put right, I suggest that he should apply to some unbiassed person like the Honourable the Finance Member.

Another question he raised was the question of furlough pay. Government are fully aware of that difficulty. The rates of furlough pay in India are very much higher than the rates of furlough pay in England, and it is a fact that officers, young married officers who go home on furlough, are apt to spend, unavoidably, more than their furlough pay, and to return to this country to a certain extent in debt. That is a question which Government are considering. I cannot say, of course, what the result of the consideration will be.

My Honourable friend Mr. Joshi made some remarks about the employees in Government factories. I think he gave necessarily a rather one-sided picture. In these matters we are guided by the prevalent conditions in the labour market of the locality. I do not say that we do not admit that it is up to Government to lead the way. We do. For that very reason we have arranged for a provident fund, as mentioned by my Honourable friend, with a Government contribution; and that fund will come into force from the 1st of next month.

My Honourable friend Dr. Moonje talked about grass farms and dairy farms. I gathered that the burden of his complaint was that there were no Indians in those and other departments. The explanation is quite simple. It is not that Indians are debarred from going to those departments, but one cannot go into those departments as an officer until one has passed the promotion examination. We have not had Indian King's commissioned officers sufficiently long in the Army for more than a very few to have passed the promotion examination, as yet. As soon as they have done so, if they wish to go into any of these departments in preference to serving in battalions—and there are indications that several of them will wish to do so—there is nothing whatever to prevent them. Honourable Members are aware that King's commissioned officers are already eligible to serve in the Foreign and Political Department. They are also eligible to serve in the Cantonments Department. Only the other day we accepted an Indian King's commissioned officer candidate for the Cantonments Department. For the purely military departments it rests, as I say, upon passing the promotion examination. It is only a question of time before Indians are found in those departments.

My friend Colonel Gidney had a few remarks to make about Anglo-Indians. He asked what part the Anglo-Indian community would take in the new Army. As far as the reorganisation consequent upon the recommendations of the Skeen Committee is concerned, I can only tell him that Anglo-Indians will continue to be eligible for commissions in the Army under our scheme. The new scheme has not yet come into force, but under the present scheme an Anglo-Indian went

to Sandhurst last summer. But perhaps he was thinking more of the rank and file. He mentioned the question of organising an Anglo-Indian unit. As the House is aware, our Army at present is constituted on a class system under which we recruit only from certain classes. Those classes have varied from time to time, but remain generally the same. We sometimes consider taking out one class, and sometimes fresh classes are recruited. My Honourable friend's community comes in with all other communities that claim service in the Army in that respect. Their claims are considered simply and solely from the point of view of military efficiency,—what material in the opinion of the military authorities makes the best army. He complained, as he has often complained, that his community is in an anomalous position. Nobody denies that the circumstances are such that its position must be anomalous. But one result is that my Honourable friend sometimes has it both ways, and I think he should recognise that fact instead of putting forward the theoretical complaint that his community is in an anomalous position.

Lieut.-Colonel H. A. J. Gidney: It has an anomalous position in the Army.

Mr. G. M. Young: My friend Mr. Muhammad Nawaz Khan spoke about taking officers from the Territorial Force. He said that we ought to have some scheme of taking officers from the Territorial Force; and if I remember aright, he said he would go into the lobby and vote against the Government on this occasion because we had not done so. Well, Sir, I turn to the recommendations of the Skeen Committee in this matter. They say:

"We are aware that in the United Kingdom commissions in the regular Army are granted to suitable officers of the Territorial Army. We are, however, of opinion that the Territorial Force movement in India is not yet sufficiently developed to warrant the adoption of a corresponding practice for the present."

I think it is rather hard, Sir, that we should be condemned at the same time for objecting to some proposals of the Committee and for agreeing with others. Here is a proposal of the Committee which we have followed. It is eminently sound. The Territorial Force movement is by no means far advanced in this country. It is a matter that we should keep our eye upon, no doubt, and take up later if we see any chance of success in it.

Now, Sir, I come to the Indian Sandhurst Committee's Report once more. My Honourable friend Diwan Chaman Lall—I think it was—said that under our present scheme of vacancies, it would be 280 years before the Army was Indianised, and somebody else said 300 years. I find great difficulty in following that argument and seeing what it means at all. (*An Honourable Member:* "Simple arithmetic.") Of course, if the vacancies remain at 25 for all time, the Indianisation of the Army will certainly be deferred 300 years and a great deal more—indeed, for ever. But that is not the point. It is nobody's intention that the number of vacancies should remain still for all time. Our difference with the Indian Sandhurst Committee consists, as Honourable Members know, in the fact that they laid down an annual programme which they wanted us to follow. They fixed a number for one year, some other number for the next year, and so on; and said to us "Accept this time table; of course modify it in the light of experience if you do not get the men; but this is our time table. We want to tie you down to this." We say, "No. We throw open the initial number of vacancies and we will wait and see." As I said in speaking in the House the other day, these 10 vacancies that we are now having

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at Sandhurst have in only one year produced 10 officers, the average is about 6, and that although we are allowed to supplement vacancies which occur by cadets failing to pass their retention test at Sandhurst. In some years we have had, for instance, as many as 14 to make up the deficiencies in previous years; but still the outturn has never been more than 6 on an average. If that is the case, what is there unreasonable in waiting for a year or two at any rate to see whether the various recommendations of the Committee to improve the number and quality of Indian cadets for King's commissions have effect? Taking the direct commissions, if in a few years we get as many as 17 or 18, that would be time enough to push the number up. But we have not yet had the position in which an Indian candidate has had to compete for his vacancy. The indications therefore are that the recommendations of the Committee will take some little time to show an increased number of entrants; and we simply say that for the first few years we have a number that we think will be sufficient. If we are wrong, we shall be able to increase it. Many Honourable Members, in talking about these proposals, have assumed that we have definitely turned down anything like a progressive scheme; and that when we say we open 20 vacancies of direct commissions and 5 vacancies for the Viceroy's commissioned officers, we mean that is all we are ever going to do. That is not the case. It is not the case with direct commissions and it is not the case with Viceroy's commissioned officers. My Honourable friend, Colonel Crawford, said the other day that we were doing very little for the Viceroy's commissioned officers. I do not know whether he is quite aware of what we are doing, and I do not know if he is as fully informed on the subject as the Committee themselves. He ought to know about the King George's Royal Indian schools at Jhelum and Jullundur and also about the scheme for the Kitchener College. We have started by saying that there will be 5 vacancies open to Viceroy's commissioned officers, and that number may be increased to 10 if there is a corresponding shortage in the number of 20 reserved for direct commissions. But, as I say, that is not a number we are going to stick to for all time. If we think that we can get Viceroy's commissioned officers in large numbers we shall certainly make use of that source of supply. My own view is that that will be a very important, if not the most important, source of supply of Indian officers, for the Indian national army of which we are trying to lay the foundation. I am surprised at my Honourable friend, Mr. Muhammad Nawaz Khan, saying that he is going to go into the lobby against us because we are not doing enough for the Viceroy's commissioned officers. It will be some time before we get the standard of education high enough for young Viceroy's commissioned officers to be considered for King's commissions. Before that time comes we shall probably do a good deal in the way of waiving the age limit in favour of most suitable candidates. (*An Honourable Member*: "What is the age limit?") The age limit is 25. The scheme is an expansible one; we are not tied down to anything, and we are out to get the Viceroy's commissioned officers if we possibly can.

Then I turn to another subject raised by my Honourable friend, Pandit Kunzru. He spoke of the scheme for reorganising units on the British pattern; and although, like many other Honourable Members, he thinks that the scheme will not mature for an infinity of time, he

was not slow to point out that the entire Indian Army reorganised on the British pattern would involve colossal expenditure because there would be 8,000 King's commissioned officers whereas you have now only 3,150. The answer to that is that the scheme is a gradual one and that we can adapt it as it goes on according to results. At first when we start replacing Viceroy's commissioned officers with these new King's commissioned officers, there will be quite enough opportunities for openings to the Viceroy's commissioned officers in other battalions of the same group, or in other groups. It will leave a full field of advancement for the rank and file, and for the Viceroy's commissioned officer. Later something more will have to be done, and eventually when you get a large force officered entirely by Indian officers with the King's commission, there will be no justification of course to pay that establishment of officers the full rate of pay of a British officer serving with the Army in India, nor will the officers expect that pay. It is reasonable that they should receive a pay which corresponds to the pay of a British officer serving in Great Britain, and not to the pay of expatriated officers serving in a foreign country. That is a thing which will be worked out in time. When Indian officers are serving, as they are now serving, side by side with British officers, in their units, there is little justification for doing more than creating an overseas element, even though we are now neutralising the whole of the extra expense which education in Sandhurst has hitherto cost. We are thinking out a scheme of that kind. I cannot say for certain but I do not think it very likely that any difference in pay will be made in the first three or four years of service. It is hard on a young boy coming to the Army to draw less than his fellow officers. But as time goes on and we get our Indian officers we must derive the advantage of economy from Indianisation: and long before the period which my friend Pandit Kunzru visualises has been reached, there will have been made a suitable adjustment in the matter of pay. My friend Pandit Kunzru was also rather alarmed about promotion. He was afraid that this scheme for the reorganisation of units was simply in order to prevent Indian officers getting command over British officers in what he called mixed regiments. I think he must have meant larger formations than regiments, that is, when you have got beyond the units. It is a difficult matter to explain, but His Excellency the Commander-in-Chief did explain in his speech the reorganisation of units on this pattern and its effect on promotion. An officer does not get the command of a company or squadron, as the case may be, until he reaches a certain seniority. It is perfectly true that under his system when you get more officers and the number keeps going up, a larger number will reach the point of qualifying for the command of companies than there are companies for them. That, of course, will be the moment to expand your system by taking up other units. Now the prospects of promotion in the British service are fairly comparable with the prospects of promotion in the Indian Army. One of the reasons of the better promotion in the Indian Army is that it has a larger number of departments. And those departments, as I have often told Honourable Members in this House, are and will be open to Indians in every way.

Pandit Hirday Nath Kunzru: Is it intended that further progress should be made by the Indianisation of more units?

Mr. G. M. Young: Now, Sir, I think I have said on this occasion and on others all that I need say about the Indian Sandhurst Committee's Report. My Honourable friend, Mr. Goswami, speaking yesterday, in the course of a very eloquent passage asked us, I think, to be honest about granting self-government—gradually, if we would. Well, Sir, we think we are honest about it: and we do not see how self-government can be attained by India gradually unless you let us take the initial step. But what happens every time? On four occasions in this House this year an attempt has been made at a start in the direction of self-government. On each occasion the attempt has been repudiated in its initial stage, for one reason or another. There is the attempt to found a national bank. I am not sufficiently expert in finance to know the reasons which induced the House to reject that attempt. There was an attempt to set about founding a whole constitution for India, through the Statutory Commission. I never yet could understand why the House saw fit to reject that attempt. The other day we came to the House with a proposal to lay the foundation of an Indian Navy. We came to the House in the only way in which we could come to the House, by asking them to pass a Bill which would apply the British Naval Discipline Act, and thereby confer on the officers and men of the Royal Indian Marine, British and Indian, present and future, equal status with the British Navy and the Navies of the Dominions. What happened? My Honourable friend, Mr. Chetty, who led the opposition, spoke of that as if it were something loathsome. He said that he would not touch it with a pair of tongs. Sir, what is the meaning of those words? Honourable Members may not approve of our methods. You may think we are not setting the right way about it, but how, unless you accept our initial move and make something of it yourselves, can you expect us to do anything for you? The Honourable Members immediately opposite me are content simply to sit and criticise and vote against Government. If they had any real determination, they would take the things we offer, had as they think they are, and would make something better of them. The same applies to this scheme of the Government on the recommendations of the Indian Sandhurst Committee. (*An Honourable Member:* "It would be putting a noose round our necks".) I can quite see that our proposals in many respects are unlikely to commend themselves to certain sections of opinion in this House. I think they commend themselves more to those parties who have made a study of military matters. Those who have made none and do not profess to have made any are content to sit still or get up and speak on generalities and then go into the lobby and vote. Their attitude is that they will not help. (*An Honourable Member:* "Which party do you mean?") My Honourable friend opposite knows which party I mean. Condemn whatever you like in our scheme, but do take it, and help us to make something of it. (Loud Applause.)

Mr. President: Order. order. The question is:

"That the Demand under the head 'Army Department' be reduced by Rs. 5,70,999."

The Assembly divided.

AYES—66.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. 'Sesha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nrmal Chunder.
 Das, Mr. B.
 Das, Pandit N lakantha
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Gidney, Lieut.-Colonel H. A. J.
 Goswami, Mr. T. C.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar
 Haji, Mr. Sarabhai Nemchand.
 Iswar, Saran, Munshi
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.

NOES—51.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Násir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayyangar, Mr. V. K. Aravamudha
 Bajpai, Mr. G. S.
 Bhuto, Mr. W. W. Illahibakhsh.
 Blackett, The Honourable Sir Basil
 Bray, Sir Denys.
 Chatterjee, The Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Ghuznavi, Mr. A. H.
 Graham, Mr. L.
 Hussain Shah, Sayyed.
 Irwin, Mr. C. J.
 The motion was adopted.

Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jannadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Sriput Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvatham.
 Roy, Rai Bahadur Tar't Bhusan.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz - Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Tok Kyi, U.
 Yusuf Imam, Mr.

Jowahir Singh, Sardar Bahadur
 Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Kikabhai Premchand, Mr.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji
 Chaudhury.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Sams, Mr. H. A.
 Shah Nawaz, Mian Mohammad
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Suhrawady, Dr. A.
 Sikes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Wilson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Nawab Sir.

Mr. President: The question is :

"That a reduced sum not exceeding Re. 1 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Army Department'."

The motion was adopted.

DEMAND No. 28—EXECUTIVE COUNCIL.

The Honourable Sir Basil Blackett: I move:

"That a sum not exceeding Rs. 81,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Executive Council'."

On the principle that there should be no square pegs in round holes.

***Diwan Chaman Lall:** Sir, I move:

"That the Demand under the head 'Executive Council' be reduced by Rs. 80,999."

This cut has been given by me for the reason that I do not think the Members of the Governor General's Executive Council deserve the confidence of this House. I think the Members of the Viceroy's Executive Council have woefully betrayed the trust that could be placed in them by the people of India. There was a splendid opportunity, at least for the Indian Members, to show their regard for public opinion when the question of the Simon Commission came before them. I regret to say that not one of the three Indian Members of the Viceroy's Executive Council took it upon himself to tender his resignation; as self-respecting Indians they should have tendered their resignation on this most vital question which affects the honour of this country. I further find that the departments that are managed by the six Members of the Viceroy's Executive Council, although every one of them gets Rs 6,666-10-8 as his pay every month, are not being managed in the interests of the people of this country. We have recently, only a little while ago, seen an exhibition on the part of the Government in regard to military expenditure and we have found that our protests year in and year out have gone in vain and that not one Member of the Viceroy's Executive Council has taken it upon himself to protest against this expenditure. We have further seen that, as far as the liberties of the people are concerned, they have been absolutely negligent of all the elementary canons of civilized government. They have imprisoned people without formulating charges against them: they have imprisoned and kept in confinement a large number of people in this country under a system which has been condemned by every reasonable thinking man in this country. I am glad to note that a certain number of them were released the other day, although no announcement was made on the floor of this House to this effect, yet an announcement was made in the other place. But even then all these years these Members of the Viceroy's Executive Council have been giving their tacit consent to a system of government in this country which has been proved to have been injurious to the best interests of this country. They have been carrying on this government under a system which can only be described as entirely autocratic; and I consider, Sir, that under these circumstances we are perfectly justified in passing a vote of censure upon the Members of the Executive

* Speech not corrected by the Honourable Member.

Council. I do not wish to indulge in personalities. I gave one reason here when I moved this cut, that the Members of the Executive Council were square pegs in round holes. It was no reflection. I want to say to the Honourable Sir Basil Blackett that although, as a friend of mine once said, he stands four-square and his figure is very square, there was no reflection upon him. It was a reflection upon the whole system; and it was no reflection, I might say, on Sir Bhupendra Nath Mitra personally. It was, Sir, no reflection on Sir Muhammad Habibullah. Pandit Madan Mohan Malaviya the other day in a very eloquent speech stated—and that statement has not been contradicted—that Sir Muhammad Habibullah was the only Member of the Executive Council who was against this present constitution of the Simon Commission which has been announced. Not another Member,—neither of the other two Indian Members took up the stand which the Honourable Sir Muhammad Habibullah took up. Of course we are not in the secret of the Viceroy's Executive Council; but the statement was made on the floor of this House and it has not been contradicted. I want to ask the two Members, why did they not take a similar stand? If it is true that he did protest why did not the other two Members protest? And knowing perfectly well the feeling in the country on this question why did they not tender their resignations as self-respecting men? There they are. We cannot touch their salaries. It is not possible for us to touch a single anna of their salaries. Nor is it possible to touch a single hair of their heads. But what we can touch is the votable portion of this Demand and that votable portion of the demand comes to a sum of Rs. 81,000. Under the rules I now ask the House to record its protest, its censure against the Members of the Viceroy's Executive Council for continuing a system of government in this country, for giving their assent to a system of government in this country which has been condemned by the people's representatives and which is neither a civilised system, nor one which guarantees freedom to the people of India.

I therefore, Sir, move my cut.

Pandit Dwarka Prasad Misra (Central Provinces Hindi Divisions: Non-Muhammadian): Sir, I have much pleasure in supporting the cut of my friend Diwan Chaman Lall who has proposed that the Demand under the head "Executive Council" be reduced by Rs. 80,999. In doing so, I want to make three specific charges against the Members of the Executive Council. My first charge is concerning their attitude in regard to the appointment of a purely Parliamentary Commission. The Honourable the Home Member, replying the other day to the Debate on the Commission, resented the censures of this side of the House and said:

"The fact that censures of that kind have been directed against the Government of India indicates a total misapprehension of the true constitutional position."

And then, Sir, he treated us to a lecture on the true constitutional position. To my understanding what he wanted us to believe was that in the matter of the Statutory Commission the Government was as innocent as an unborn child. Pandit Malaviya in his speech on the 18th February asked the Home Member as to where had the proposal that the Statutory Commission should be a Parliamentary Commission first emanate from. He enquired:

"Is it a fact that this proposition went in the first instance from India to England, from the Government of India to His Majesty's Government? I ask my Honourable friend to deny that this is a fact."

[Pandit Dwarka Prasad Misra.]

Some other questions asked by him were also to the same effect. I expected, and in fact the whole House expected, a specific reply to his specific questions. When the Honourable the Home Member got up to reply to the debate I leaned forward to hear his answer to the challenge. But what is it that he said? He said:

"I regret that in the brief space at my disposal I cannot follow in detail the clouds of surmises and assumptions which underlay the questions which Pandit Madan Mohan Malaviya addressed to me."

I submit, Sir, that it is unfair on his part to characterise the specific questions of Pandit Malaviya as clouds of surmises and assumptions. In fact this answer is an insult to the intelligence of this House.

Sir, there is one thing further that has got to be noted. He said "I cannot follow in detail, etc., etc.", which meant that he was going to give at least some sort of replies to the questions put by Pandit Madan Mohan Malaviya. I read carefully the whole of his speech from the beginning to the end and I do not find a single reference to these questions. "Silence is a sign of acknowledgment," says a Sanskrit proverb, and I cannot but conclude that the part which the Government of India have played in the matter of the appointment of the Parliamentary Commission cannot bear the light of day, unless the Honourable the Home Member stands up and answers the questions put by the Honourable Pandit. I think, Sir, this House will be perfectly justified in supposing that the Government of India have played the most ignoble part in this matter.

My second charge against the Government of India is, that in the matter of Hindu-Muslim disputes, in the matter of communal questions in this country, they have played an equally ignoble part. Last year, when we were discussing this very Demand, Sir Alexander Muddiman replying to the speech of my Honourable friend Maulvi Muhammad Yakub, referred to the communal question and said:

"It is a question that you yourselves must solve for yourselves."

Sir, the *ex-Home* Member's superior air of impartiality was too much for me to bear and I interrupted him by saying: "If you allow". Then, Sir Alexander Muddiman retorted by saying:

"If the suggestion is that we are not doing everything we possibly can do to deal with the situation, I do believe there is no man in this place who is prepared to repeat it."

And, Sir, to my utter bewilderment I found that there was not a single Member in this House to get up and support me. But I am glad to say that in this Session Member after Member has got up and said the same thing. Nay, Sir, they have made the definite charge against the Government and said that they are responsible for the communal trouble in this country. I stand up to-day to add my small voice to their voices.

Now, Sir, I would be asked to substantiate this charge. Let me point out that this is a self-evident proposition and everybody in the country feels the truth of this. But if my Honourable friend the Home Member wants me to substantiate it, I would not disappoint him. It is a matter of common knowledge to students of British Indian history that the principles which underlie the rule of the British Government in India were determined in the middle of the 19th century, in the years just preceding and following

the Mutiny. Sir, in those years when the principles and policies which were to govern this country were being discussed, a British officer signing himself as "Carnaticus" wrote in the *Asiatic Review* in the year 1821 as follows :

"*Divide et impera* should be the motto of our administration whether political, civil or military."

About the time of the Mutiny, Lieutenant-Colonel John Coke, Commandant of Moradabad, wrote :

"Our endeavour should be to uphold in full force the (for us fortunate) separation which exists between the different religions and races, not to endeavour to amalgamate them. *Divide et impera* should be the principle of the Indian Government."

Lord Elphinstone, Governor of Bombay, in a Minute, dated the 11th of May 1850, wrote as follows :

"*Divide et impera* was the old Roman motto and it should be ours."

Now, Sir, he will be a bold man who stands up in this House to-day and says that the British Government by now have changed their policy in this matter. We have been seeing every day that this principle of "divide and rule", which was adopted in the 19th century, is being followed with zeal in this 20th century. Yesterday, while discussing the frontier question, my Honourable friend Lala Lajpat Rai plainly told the opposite Benches that the Government were afraid of laying their cards on the table in the matter of the introduction of reforms in the Frontier Province, because they thought that if even that small question was settled, one of the causes of friction between the two great communities will be removed. To be frank, Sir, whenever I find the British officials
 4 P.M. shedding crocodile tears over this communal question, I am afraid that they are inspired by some sinister motives. In the last Simla Session considerable anxiety was shown by them regarding the Hindu-Muslim unrest prevalent in the country. Now, Sir, my belief is that this was merely a sort of preparation for the exclusion of Indians from the Statutory Commission. They wanted to concentrate the attention of the whole world on the fact that there was a serious communal question in this country so that no one could be justified in blaming them for not appointing any Indian on the coming Commission. This is the only thing which can explain their great solicitude during the Simla Session.

My third charge against the Government is that they have been very unfair to the Nationalist Members of this House. Last year, Sir, I entered a protest against it in the course of my speech on the Steel Protection Bill. I find, Sir, that this year matters, instead of having improved, have gone worse. My Honourable friend, the Deputy Leader of my party, Mr. Srinivasa Iyengar, has made a reference to this matter and so I do not wish to detain the House long on that account; but I would like to point out that even the *Pioneer* has condemned their criminal culpableness for "exhibiting a phase of British regime in India" which, the paper rightly says, "all right-minded people would like to see abolished immediately". (Applause). Now, Sir, where does the origin of this haughtiness and this arrogance lies? Certainly it lies, as the origin of all arrogance lies, in ignorance. The origin of the haughtiness and the pride of these people is in their ignorance. And, Sir, the *Pioneer* aptly

[Pandit Dwarka Prasad Misra.]

remarks that they are absolutely "ignorant of the real conditions in India". But I say that though this paper has discovered it only now, the ignorance of the bureaucracy is not a new thing. Even Sir Bampfylde Fuller, who was admittedly not a friend of India, says very uncomplimentary things about them. Here is a quotation from him:

"Young British officials go out to India most imperfectly equipped for their responsibilities. They learn no law worth the name, a little Indian history, no political economy, and gain a smattering of one Indian vernacular. In regard to other branches of the Service, matters are still more unsatisfactory. Young men who are to be police officers are sent out with no training whatever, though for the proper discharge of their duties an intimate acquaintance with Indian life and ideals is essential. They land in India in absolute ignorance of the language. So also with forest officers, medical officers, engineers and (still more surprising) educational officers."

Now, Sir, the ignorance of the bureaucracy is equalled only by its selfishness. This state of affairs was quite recognised by Mr. Montagu and he warned the British House of Commons against the danger of attaching too much importance to the opinions of the British officials. Speaking in the House of Commons he is reported to have said:

"Let me put it to this House. After all, the Civil Servant in India is not very different from the Civil Servant in this country. Who ever heard of a political reform in any office in this country coming out of the Civil Service? This House is the place for political reform. You will never get it carried out by the Civil Service. As time goes on, that Service must carry out the wishes of those who dictate the policy. It must be first in this House, and ultimately in India, that that policy which the Civil Service is to carry out must be dictated to it."

Now, Sir, I submit that as long as Mr. Montagu was in office the bureaucracy was not always allowed to have its own way. But now that he is gone, I see that the bureaucracy finds itself entirely the master of the situation. It seems it is from these people, as Pandit Malaviya says, that this question of a Parliamentary Commission and the consequent exclusion of Indians from it emanated. Sir, I say after deep consideration that the just interests of the British Parliament can be reconciled with the just claims of Indians. If the British people want to have us in their Empire as their honourable partners they can make some sort of settlement with us. If they will take an enlightened and not a narrow view of their interests I am sure they will come to some sort of agreement with us. But I submit, Sir, that the interests of the bureaucracy are diametrically opposed to Indian interests, and as long as it is in the power of British officials they will try their best to delude the Parliament into believing that it is possible to rule India for ever. British historians are fond of saying now and again that the British people conquered India in a state of absent-mindedness. I want to declare from the floor of this House that if the bureaucracy is allowed to deceive Parliament as to the real conditions prevailing in India a day will surely come when England will lose India in a state of similar absent-mindedness. Sir, I have done.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, many charges have been laid—and serious charges too—against the Government during the last 4 or 5 days, but the charge which I am going to lay at the door of the Executive Council this evening is one in which I hope almost all the non-official Members of this House will agree with me, including, I think, the non-official European group also, and it is, Sir, the insufficient and small number of

non-official days which are allotted to this Assembly for carrying out non-official work. Sir, from the statistics which were supplied to me by the Legislative Department we find that since this Assembly came into being, that is. 1921

Mr. President: Order, order. The Governor General in Council has got nothing to do with the allotment of days for non-official business. It is the Governor General that allots days.

Maulvi Muhammad Yakub: I submit, Sir, that although it is the Governor General who allots days for non-official business, I believe it is on the recommendation of the Executive Council that these days are allotted, and therefore, I submit, Sir, that I would be in order if I level the charge of allotting an insufficient number of days at the door of the Executive Council. Sir, in the beginning of this Session when I found that in a Session of 2 months only 5 days were allotted for non-official work, *i.e.*, 2 days for non-official Bills and 3 days for non-official Resolutions, I gave notice of a motion in this House to the effect that the Honourable the President of the House should represent to His Excellency the Governor General the insufficiency of the number of non-official days. But I am sorry to say, Sir, that the motion was not consented to by the Leader of the House and, therefore, I could not discuss it here. This shows, Sir, that it is the Governor General in Council . . .

Mr. President: The Honourable Member knows that the matter has been settled to some extent to his satisfaction.

Maulvi Muhammad Yakub: I do not think, Sir, that it has been settled to my satisfaction, because, after all that correspondence, 2 extra days were allotted in this Session. But it is as a matter of favour. I want, Sir, that it ought to be as a matter of principle that more days for non-official work should be allotted to the Members of the Legislative Assembly.

The Honourable Sir Basil Blackett (Leader of the House): On a point of order, Sir. If I say, Sir, that I shall be unable to reply as this is outside the sphere of the Executive Council, you will therefore perhaps think it undesirable that this discussion should continue.

Mr. President: I agree with the Leader of the House that this is outside the sphere of the Executive Council.

Maulvi Muhammad Yakub: I bow, Sir, to your ruling. I would only submit that I have a cut to this very effect on the Demand under the "Executive Council" and that cut was allowed and it is on the agenda paper to-day

Mr. President: Every cut that is on the agenda is not necessarily in order. Its admissibility has got to be considered by the Chair when it reaches.

Maulvi Muhammad Yakub: Very well, Sir, if that is your ruling, I bow to it.

Mr. C. Duraiswamy Aiyangar (Madras Ceded Districts and Chittoor: Non-Muhammadian Rural): Sir, after hearing all these criticisms some Honourable Member from the Government side will rise in his seat and give the stereotyped reply that neither the iniquities of the Executive Councillors nor their failings would be covered by the tour expenses, and some Honourable Member from the Treasury Benches is sure to say that whatever their iniquities may be, they are committed in their office rooms

[Mr. C. Duraiswamy Aiyangar.]

in their lounge chairs and not during their tours. The Honourable Sir Basil Blackett is sure to say that in spite of the fact that we may vote down this expenditure of Rs. 81,000 he is sure and safe in his seat so long as his Rs. 4,83,000 is untouchable. I therefore take it as a settled fact that the irresponsible executive of this country is fixed in its seat so long as Rs. 4,83,000 is secure, non-votable and untouchable, and therefore, Sir, it becomes immaterial to me so long as these two things are there whether it is the brown elephant or the white elephant that I am feeding. But I shall confine myself within the four corners of the tour expenses and I would like to ask Honourable Members seated on the opposite side how they justify the expenditure of Rs. 81,000 over their tours. I take first the Honourable the Finance Member himself. He is the Leader of the House also for the time being. I would ask him to explain how he justifies the expenditure that is incurred out of the Indian revenues for his tour expenses. In the ordinary course of events I should have expected that the Honourable Sir Basil Blackett would not move this motion in laconic words but would have made clear to the House the extent and utility that was achieved in the past by these tours, as indicative of what is likely to be expected by us in the future in the coming year. Sir, taking these tours, I have not been able to find any literature which will give us an idea of the extent and utility of these tours so far as the people of this country are concerned. If we get any information at all it is due to the Associated Press, India, or the Free Press, and from what I have been able to gather from the papers. Let me take the example of the Finance Member. So far as I have been able to read from the newspapers I find that sometimes he likes to kill the monotony of the Simla chillness by going over to Calcutta and from thence to Bombay and back to Simla. In Calcutta he would meet the Chambers of Commerce, he would have a dinner at the European Association, there will be an exchange of mutual adulations, closing with a pious wish expressed by the host as well as the guest at a toast that some day ten centuries hence there must be Swaraj for this country, not as a consequence of the political agitation, but as a reward for the docility of the political leaders if they maintain that attitude for that period. Then he departs from there and his saloon takes him from Howrah to Bombay and it is only there that the saloon is detached. There he meets the merchant princes, has his own talks about exchange and ratio and goes back to Simla, unless it is to pay a visit to his favourite Ghazipur factory to see if the opium manufactured therein is all well made up. Excepting these things, I have not been able to find what the Honourable the Finance Member during the last five years has done by his tours. I ask him point blank to answer me whether in any one of these tours he has gone outside the capital of any Presidency, whether he has visited at least the capitals of all the Presidencies and provinces in this country, whether he went out of any capital city to see a single poor man, to see a single cottage, to see a single agriculturist to know in what condition he is . . .

The Honourable Sir Basil Blackett: The answer is in the affirmative.

Mr. C. Duraiswamy Aiyangar: It is the absence of visits, like what even the Simonites are making, that accounts for the fact that with great levity he goes on putting on a salt tax of Rs. 1-4-0 per maund . . .

The Honourable Sir Basil Blackett: As I do not expect to have an opportunity of a speech, I may say I have been many times in the places where I am supposed not to have been.

Mr. C. Duraiswamy Aiyangar: So far as I have been able to gather from the literature that I have been able to get, I thought that even Sir Basil Blackett would find it difficult—when he goes back to England and when some of his friends out of curiosity ask him what sort of agriculturists there are in India—he would describe them as people with boots and trousers, neckties and collars. I would ask him to explain what tour he has carried out in order to understand the difficulties of the people, the burden of their taxation and the conditions under which they live. Take again the Commerce Member who is also the Member for Railways. Even Sir Charles Innes, who was employed in Madras, never came there after he became a Member of the Executive Council. If I have to vote anything for the Commerce Member, I would vote for him not a bug-proof saloon but a third class fare, not even the one and three-fifths fare which we are getting, so that he may understand the difficulties of the third class passengers and redress their grievances. Take again the Industries Member or the Law Member. What are they doing in their tours? The Law Member came to Madras once and presided over a meeting of the Justice Party, apparently because law and justice must go together, and made a mess of Endowments Act and came back. Sir, if this is the kind of tours which the Executive Councillors are going to carry out, I submit we are justified in withholding the amount for their touring expenses. If in future they carry on their tours not only for the benefit of merchant princes, not for the benefit of mill-owners and not for the benefit of Chambers of Commerce but for the benefit of the poor agricultural population of this country, then I am willing to vote a supplementary Grant in the course of next year in spite even of a mandate of my Party.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): Sir, on the principle of there being “no square pegs in round holes” I have something to say. I want to draw the attention of the Government to a question which was commented upon by Mr. Montagu and Lord Chelmsford in their report of 1917. On page-267 of that report, they say referring to the slowness with which the Government departments in India work—this is paragraph 269:

“One reason why the departments can move quickly in England is because their day to day administration runs itself. In India the higher staff of the secretariats is not permanent because, rightly or wrongly, it has always been held desirable to maintain touch between headquarters offices and the districts. We express no opinion on the system but it requires detailed examination. Indeed the Viceroy has already signified to his colleagues his intention of causing it to be examined after the war.”

Lord Chelmsford carried out this intention in appointing the Llewellyn Smith Committee which considered this matter amongst others during the last three years of Lord Chelmsford's viceroyalty. The Committee were impressed by the undoubted disadvantages of the present system under which at times all responsible officers of Government departments are mere birds of passage, that is to say, practically the whole of the permanent traditions of the department are the exclusive possession of the office establishment. They did not propose any revolutionary changes in this system, under which the posts of Secretaries and Deputy Secretaries are temporary,

[Sir Walter Willson.]

because they were alive to the disadvantages of cutting the Secretariat off from living contact with the higher administrative work in the provinces, which might outweigh the immediate advantage of making those officers permanent. They did, however, consider three years an unduly short maximum period for a Secretary or Deputy Secretary to hold his office and recommended that it should be increased to four years. Unfortunately, the Government of India did not see their way to accepting even this moderate proposal, and in their Resolution of 15th September 1920 in the Home Department they decided to retain three years as the maximum period a Secretary or Deputy Secretary should hold office.

Now, Sir, eight years have passed, and that in itself is a sufficient reason for me again to direct the attention of Government to this matter. Since that Committee reported this House has come into existence, but I am afraid that from the point of view of the Secretariat its proceedings and in particular the childlike, if not childish, passion of some Members for asking a multitude of questions, has immensely increased the labour of the Secretariat without necessarily increasing the effectiveness of that work. But, above all, Sir, I venture to express the opinion that the work of the Secretariat has become immensely more technical. To give a concrete instance, the adoption of a policy of discriminating protection, with the consequent Tariff Board Reports, has added a vast volume of important and highly technical work to the Commerce Department. Every new Factory Bill, every amendment to the Indian Mines Act, means that the Government of India, like every Government in the world, is undertaking additional responsibilities which formerly were not considered to fall within its sphere.

That tendency appears to me to affect the decision of 1920 on both sides. In the first place, it is every year becoming harder for a District Officer, however able and however typical of his service or his versatility, to come into the Secretariat and take over a responsible post without recent and continuous experience of the Department. In the second place, this changed state of affairs makes the need for all Secretaries to retain recent experience of district work less great. The Secretary to the Finance or Commerce Department is not likely to be greatly assisted in his very specialised and technical work by having recently been a Commissioner in the Central Provinces. All experience admittedly is of value, but three years in the Department as a Deputy Secretary would have been time more profitably spent.

I have heard it suggested that the time is now coming when the Indian Civil Service will have to be to some extent divided into specialised categories. The machinery of Government is becoming now so complicated and complex that you will require specialised mechanics to run it. The officials of the Treasury or the Board of Trade or the Ministry of Health at Home spend a life-time in mastering the intricacies of their subject. It would be considered absurd there if the Permanent Under-Secretary to the Foreign Office were transferred to the Ministry of War or the Secretary to the Admiralty to the Home Office. Was it any less absurd to transfer Mr. Burdon, when he had acquired a real knowledge of the Army Department, to the Finance Department, or Mr. McWatters after all the experience he had in the Finance Department to that of Industries and Labour? Do we, commercial men, not know, for example, how intensely valuable to us was the experience of Mr. Clow in the Indian Labour Department, and

how he knew everything about it? Therefore, Sir, it is in the hope of calling the Government's attention to these changes purely as examples and to show how undesirable they are from our point of view generally that I have ventured to speak on the subject of "square pegs in round holes"; and if my friend, Diwan Chaman Lall, succeeds in cutting the Grant by Rs. 80,999, I shall do my best to take away the last rupee after that.

Mr. B. Das: Sir, I am not concerned with the tour programme of the Executive Council; I am rather concerned with the Executive Council itself, and I maintain that the present Members should not be here at all. I maintain that some of us should be on the other side of the House, I maintain that there should be no Executive Council but a Cabinet elected by the majority of the non-official Members of this House and I maintain that there should be no official representatives on the floor of this House. To every demand of ours for progress and self-determination the Executive Council always puts forward obstacles.

We have got very small reforms, very little indeed, of these blessed reforms. We have got instead ever-growing top heavy expenditure. But when we see the great expansion of the Secretariat of the Government of India, which is under the direct control of the Members of the Executive Council, when we see the alarming number of Secretaries and Deputy Secretaries and Under Secretaries—a few years ago the number was 17 or 18; it is probably 30 or 40 now—and the very small number of Indians in the large number of Secretaries, Deputy and Under Secretaries, I feel that the Executive Council is not doing its duty, not even the Indian section of that Executive Council, with regard to the Indian view-point. Sir, since the Reforms, taxation has gone up by leaps and bounds, expenditure has gone up proportionately, and for that the Executive Council is responsible; it is responsible for the alarming growth of expenditure and mismanagement of Indian revenues. And it is high time that the Executive Council should go and be replaced by non-officials, so that the Indian tax-payers' money may be spent for the benefit of the tax-payers, and not for maintaining a costly establishment for which India has no need.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I am at one with my friend Mr. B. Das in submitting that the present Executive Councillors should now be replaced by non-official and Indian Executive Councillors. But it is not on that score that I wish to support the cut of Diwan Chaman Lall. If a person is an idiot, if a person is insane, we are not to blame that person, because God made him so. If the Executive Councillors are irresponsible to the Legislature, we cannot blame them, for the Government of India Act made them so. But what I blame them for is that they are not responsive, and therefore I have given notice of a cut on that score. I wish, irresponsible as they are, that they should not be irresponsible to public opinion and to the public weal. I am myself a responsivist and I wish that they all became responsivists at least in this sense, that they have the public weal and the poor man's interest at heart.

Now, Sir, I will just illustrate my point by referring to one or two matters. In the first place, there was just a reference by the Army Secretary to the Reserve Bank muddle. There was also a reference to the Skeen Committee affair and it was said that this side of the House was irresponsible. Now, Sir, I do not wish to go into the old story whether the hen came first or the egg came first, whether we are irresponsible

[Pandit Thakur Das Bhargava.]

or they are irresponsive, and I will leave it to be judged by the public in general and by the Executive Councillors themselves. I would ask them if they were in the same position in which we are, would they have accepted these measures and welcomed those who are responsible for these measures. Now, just take the Navy Bill. Am I to understand that any Member of the Executive Council would have behaved in a different manner from that in which we behaved if they sat on these Benches? That is the true touchstone by which you can judge whether you are irresponsible or we are irresponsible. Similarly, take the case of the Skeen Committee. It is said that this House is not taking half a loaf which will enable it to qualify itself to get a full loaf. But is there half a loaf or any loaf at all in the recommendations made by the Government in this particular case? By temperament and by creed I am one of those who are ready to respond to any call which is reasonable, but in these two or three matters I can assure the Executive Councillors, who are blaming us, that no self-respecting person would behave in a way different from the one in which we have behaved. Now, in the matter of the Reserve Bank, it has been said many a time in this House that the Leader of the House was not responsible for the *impasse* in which the House found itself and that there were forces behind the scenes which were really responsible. Now, I am not one of those who would put the blame on the Leader of the House if he is not blameable in this matter. I am not blaming him for his irresponsibility, but I am blaming him for his irresponsivity. We heard in those days that the Leader of the House had resigned, but the news was found to be incorrect, or rather it was found to be unfounded. In a matter like this, I would certainly expect that any honest person, any person who says that he is true to the salt of India, would respond and would make a protest. The same thing happened in the case of the Simon Commission. I do not know how things happened, but supposing they happened in the way in which our honoured leader Pandit Madan Mohan Malaviya said they happened, does it not stand to reason that Indians had every right to expect at least of the Indian Executive Councillors that they would feel the public pulse and resign their posts and vindicate their patriotism? Similarly, in the matter of the Skeen Committee, I, for one, most humbly and respectfully say to the Indian Executive Councillors . . .

An Honourable Member: Why respectfully? /

Pandit Thakur Das Bhargava: My friend asks why I should say "respectfully". I say it because by their age, by their position, they are entitled to respect from me. I am a resonsivist and therefore I respect their age and their position, but I do not respect their patriotism, and this is to say the least. I had expected that on a question of this moment, the Indian Councillors would show the same spirit as was shown by their predecessor, Sir Sankaran Nair of those days, when the question of martial law in the Punjab came to be discussed in the Executive Council.

Now, Sir, leaving these two points, I would mention one more point in this connection and that is the report of the textile industry. To my mind, in matters of this kind, when the Government appoints certain Committees which go into these questions of detail and submit their report, it is generally shelved. And what do we find? The Members of this House are not allowed to take the initiative in matters of that nature, and we have to depend upon the Members in charge of particular departments to take the initiative. What happened? We thought a Bill in

respect of this matter would be introduced. Up to this day we are waiting for a Bill in which there would be an import duty on cloth. But it is too much to expect, because as I have said the divine quality of responsiveness is wanting in this system which is too wooden, in the words of Mr. Montagu.

Now, Sir, besides these three things, I would respectfully submit that our Executive Councillors should have a searching of heart and consider whether, in view of the Budget this year, they would like to be judged from the poor man's standpoint. The salt tax is there as it was. The railway fares in respect of those persons who travel fifty miles or less are the same as they were before. The postal rates are there and last of all there is one point that I want to submit for the consideration of the Executive Councillors, and they should see whether they have been able to make any improvement in the matter. The whole of the Government of India—look at it from any standpoint—is a representation of the old accursed caste system. You will be able to see that in matters military, in matters civil, in matters relating to the distribution of posts and the loaves and fishes of office, the racial question comes in everywhere; and though the Indian Executive Councillors are not homogeneous by way of caste—they are hybrid—at the same time this incubus of racial discrimination they also cannot eschew. Even now there are certain services which are only open to Europeans and Anglo-Indians (*Lieut.-Colonel H. A. J. Gidney*: "Are there any?") If you want to know the names of those services I will just mention them. Take for instance the Military Engineering Services. (*Lieut.-Colonel H. A. J. Gidney*: "Leave aside the Army.") Am I to consider that the Army is a subject which is untouchable by itself? That is the greatest proof that racial discrimination is rampant in at least one branch of the Indian Government, that is the Army. I understand that in this matter Colonel Gidney occupies a much better position than we on this side of the House occupy. He belongs to the favoured caste himself; whether he admits it or not is a different question; but he represents a class for which the Railway Department is a preserve; and the Europeans represent a class for which the Army is a preserve; and we are yet to see the day when our Executive Councillors will bring about a state of things in which the humblest Indian will be able to say that he can aspire to the highest post in this land and when they will become responsive to the woes of the people. This is a desire which is not unnatural in any person, even though he has got the constitution which we have got here. I should like that the day to be very near when the Executive Councillors would be responsible; but before that I would expect that they at least become responsive; and if they become responsive, we can perhaps hope that they will some day become responsible also.

Mr. T. A. K. Shervani: Sir, I move that the question be now put.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): Sir, the Executive Council stands between India and the light of the world, and it is for that reason that I stand up to place on record my sympathy with the motion of Diwan Chaman Lall. Sir, there is one compelling consideration, and that is their having lent their support to the tour in this country of what the *Englishman* described as "seven white rabbits with pink spots" (Laughter)—that is how the *Englishman* described the Simon Commission. I think that is adequate so far as the

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support of this motion is concerned. Sir, it was the duty, it is the duty, of the Executive Council to represent the opinion of India to Great Britain; but the Executive Council has been misrepresenting India's opinion to Great Britain. It was the duty of the Executive Council to place on record what Indians feel. After all, they are supposed to be sitting on those Benches and sympathising with our aspiration for responsible self-government. Their sympathy for responsible self-government must also carry with it a certain amount of responsiveness. How have they responded, I ask, to Indian aspirations? They have been for the last eight or nine years, listening to Indian opinion, to Indian aspirations and to Indian feelings which have been given expression to from this side of the House. How have they respected that Indian opinion? Sir, the Executive Council helped the Viceroy in putting the recommendations of this House regarding the Lee Commission into the waste paper basket. The Executive Council again—the Executive Councillor who was responsible for 'his is now elevated to the position of the Governor of a province—the Executive Council helped the Viceroy in not going very far in the direction of reforms. We all know what they did in regard to the Muddiman Committee's Report. And now, Sir, when we did not want a Royal Commission, when we passed a unanimous and united Resolution for a Round Table Conference, the Executive Council did not care to give effect to our wishes in the matter. They did not even represent to Lord Birkenhead, the Secretary of State, that it would be a great insult to India if Indians were excluded from the Commission. They were not prepared to recognise, I admit, the extreme Swarajist opinion in the matter; but they could at least have conceded to the feelings of the Moderates in the country, men who have co-operated with them for the last ten years. The Executive Councillors owed their present position in India's Legislatures to the reformed constitution. The reformed constitution would have been broken up in spite of the support of the Executive Councillors of to-day and their predecessors. The non-co-operation movement could not have been destroyed but for the help of the Moderates. And what did the Executive Council Members do when they had it in their power to represent at least Moderate Indian opinion to His Majesty's Government? They acted like ancient despots, when they let down the friends of their adversity. Sometimes they talk in this House as friends of India, but, as Gibbon said of the Roman Tribunes, talking the language of friends of India, they are walking in the footsteps of despots. That is what they have been doing. They did not represent to Great Britain what we feel, and they do not propose to do so either. Therefore, Sir, it is the duty of the Members of this House to vote for the removal of the Executive Council. In other countries the Executive Council must be responsible to the people. In Great Britain and in the Colonies, after an adverse vote of the Legislature, those gentlemen will not be sitting there. We have defeated them time and again, and it is only the shamelessness of the constitution that enables them to continue to sit on those seats. (Laughter.)

Sir, this is not the opinion only of Indians on this side of the House. I would ask the Honourable the Finance Member to read the opinion of a demi-semi-official newspaper, I mean the *Pioneer*. And what does the *Pioneer* say about the Executive Councillors? Sir, the *Pioneer* was once described by Sir Bhupendra Nath Basu as "a solitary raven on the sand-

banks of the Jumna and the Ganges, croaking". (Laughter.) But those were days when the *Pioneer* was a demi-semi-official organ, and I thought it was a demi-semi-official organ until yesterday, and this is what one of their own friends says about the Executive Councillors whom my friend Diwan Chaman Lall has rightly described as square men in round holes. I mean, Sir, his is a case of intelligent anticipation, a case again of prophetic instinct, for I do not think Diwan Chaman Lall could have written the editorial in the *Pioneer*, but the *Pioneer* has certainly used his anticipated phrase (which he had given as his reason for this cut) when it says "it is a case of square pegs in round holes".

Mr. K. Ahmed: Some of them are very round.

Mr. C. S. Ranga Iyer: And then the *Pioneer* goes on to say :

"If they are incapable of accommodating themselves to the rapier thrust and the interplay of opposing blades of a parliamentary assembly, they have no right to be where they are, and no amount of expert knowledge can excuse their failure."

Sir, the parliamentary incompetence of the Executive Councillors has been accepted by the *Pioneer*. Then the *Pioneer* goes on to say :

"If, on the other hand, their attitude is one of benevolent arrogance, they deserve all they get in the way of parliamentary rebuff, and they are criminally culpable for exhibiting a phase of the British regime in India, which all-right-minded people would like to see abolished immediately."

Sir, one of the phases is the Executive Council itself, whose constituency is Viceregal Lodge. The *Pioneer* goes on to say :

"The Leader of the House, Sir Basil Blackett, Mr. Mackworth Young and the Commander-in-Chief, . . ."—

all Members of the Executive Council, excepting of course Mr. Young, I think, whose name I should take out of it and apologise to him for having mentioned it even by way of a *Pioneer* quotation :

"were all, in various degrees, guilty of bad parliamentary tactics, of a display of arrogance to which their official record of achievement does not entitle them, and of a deplorable want of knowledge of the art of persuading men. Let the facts be carefully considered. On Thursday afternoon Mr. Jinnah, following Sir William Birdwood's announcement of the Government's new Indianisation decisions, gave notice that he would either move the adjournment or a reduction of the estimates on the Commander-in-Chief's statement . . ."

Mr. President: The Honourable Member might lay it on the table.

Mr. C. S. Ranga Iyer: Sir, suppose I lay the paper on the table, will it appear in the proceedings?

Mr. President: The Honourable Member knows that every Member of the House has read it.

Mr. C. S. Ranga Iyer: Sir, the portion I am reading are very original. The *Pioneer* is one of those birds that have to be plucked when it suits us. (Laughter.) Anyhow, Sir, as you do not want that I should continue this quotation I will conclude with what the *Pioneer* says in conclusion. Speaking of the Executive Councillors it says that they :

"would do much better and would not get themselves into such hopeless messes as they have done recently if they were to take the trouble, collectively and individually, to attend vacation courses at Westminster studying the methods of parliamentary procedure."

Sir, that is the whole case for the abolition of the Executive Council. Those gentlemen have no business to be Members of this House. They are thoroughly incompetent. They are unfit for self-government or other Government. They make admirable Secretaries. I am sure with my friend Mr. Srinivasa Iyengar or Pandit Motilal Nehru as Leader of the

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House, in a self-governing India, I am sure the gentlemen who happen to be the Home Member and so on and so forth would be admirable Secretaries. When we, Sir, say we must abolish the Executive Council we do not for a moment say that we should dispense with the services of the Honourable Member, Mr. Crerar. He will make an excellent Secretary; he is no good as an Executive Councillor. By an "Executive Councillor" you mean that he is to execute the will of the people and not to execute the people themselves, not to resort to Regulation III of 1818 which, as we have seen, is no respecter of patrician or plebian, peasant or prince, but be truly respectful by understanding the will of the people and also the aspiration of the people, in one word by trying to get into the skin of the people as it were. It was Kitchener who said that the greatest fault of foreign administrations was their incompetence to get into the skin of the people. If only the Honourable gentlemen over there had imagination, if only the Executive Councillors of this country had imagination, they could have killed the hunger for freedom with the food of self-rule. The people of India, Sir, are a very grateful people

Mr. President: I do not wish to interrupt the Honourable Member, but I would like him to leave a few minutes for the Government reply.

Mr. C. S. Ranga Iyer: Oh yes, thank you. I thought, Sir, it was the privilege of non-official Members to reach the guillotine, but I would rather have the official reply before the guillotine falls.

The Honourable Mr. J. Crerar (Home Member): Mr. President, I am greatly indebted to the Honourable gentleman opposite who has just resumed his seat for giving me a few brief moments at the steps of the guillotine. Had it not been for the speech of Mr. Duraiswamy Aiyangar I should have felt it incumbent upon me to apologise for, indeed, Sir, I almost felt that I should have had to request your directions as to whether I should be in order in making any observations on the subject of the tour allowances of the Members of the Executive Council. However, I propose to make a very few remarks on that point. I think that one of the allegations which was most prominent in the speeches of the various gentlemen who have spoken to-day has been the allegation that the Executive Council hold themselves unduly remote from the current of men and things, and yet, on a proposition which would permit Members of the Executive Council to do something to place themselves in personal and vivid contact with men and things outside their own office, we are immediately criticised. I think that is a somewhat unreasonable attitude. I can speak myself with a certain detachment in this matter, because during the 12 months in which I have from time to time held office as a Member of the Executive Council, I have so far never yet been able to make a tour at all, and I hope that the House will give me a reasonable opportunity of doing so in the near future. That, however, appears not to be the question which occupies the House now. I cannot indeed in the brief space at my disposal attempt to travel over the wide, and not in all respects attractive landscape which Honourable Members have spread before my gaze and to which they have invited my footsteps. I shall only endeavour to disabuse Mr. Chaman Lal in particular of his views either as to the squareness of the Honourable Members to whom he refers or as to the roundness of the holes which they occupy.

Well, Sir, the attack has been general, not, I think, specifically on the Executive Council as at present constituted, but on the Executive Council as

it exists under the law. I claim that even in the course of the present Session—if Honourable Members are prepared to debate this matter on the basis of evidence—that even during the course of this Session evidence has been brought forward which shows that the Executive Government of this country has been carrying on its duties with a large measure of success. I will mention in the first instance the state of India's public credit. In modern conditions there is perhaps hardly one single index which is more generally accepted and which in point of fact is more truly indicative of the good administration of a country than that country's credit in the markets of the world. That is my first point. My second point also is a financial point. Whatever Honourable Members may say with regard to the Budget, they cannot say that that is the budget of a country which owing to maladministration is suffering from depression, from poverty, and from all the other evils of maladministration. The third point is this. My Honourable friend, Sir George Rainy, also presented a budget to the House, the Railway Budget. It has not been seriously contended in the criticisms, some of which for aught I know may be valid, but the majority of which I suspect are not entirely valid,—in none of the criticisms directed against the administration of the Railways has any one seriously contended or been able to contend with any plea of plausibility that the record set forth in that Budget was not a record of prosperous conditions and of a good administration.

Well, Sir, I have merely adduced three or four instances from matters which have been before this House during the present Session. I have not said anything with regard to matters which concern my own department. Indeed I cannot, as I think the House will recognise, in the few minutes at my disposal, it would not be reasonable to expect me to do so, because if serious criticisms are made of the operations of the Home Department I should hope to answer them seriously. I will only claim this, not as regards the Home Department, but with regard to the administration of India generally, that not only do the instances which I have cited afford me good ground for claiming that, with all its faults, with all the inherent difficulties of the case, with all the disabilities under which the Government of India labour and under which India also labours—in spite of those things I maintain that the administration of this country since the conclusion of the war is one on which the Government of India and the Members of the Executive Council and the Governor General have no reason whatever to be ashamed. The years which have elapsed since the War have throughout the world been years of the greatest difficulty and danger to every civilised State, whether they were concerned as combatants or not in that War. Those years, to many of those States, have been fatal; some have approached the abyss of annihilation, and some have even gone beyond it. India also had her own difficulties. If in some respects she suffered less than other States who were combatants in that War, she nevertheless had difficult problems, extremely grave dangers to face during those years. But India has successfully passed, or at any rate has with a large measure of success and with no great degree of disaster, passed through those critical, those perilous years, and am I not entitled to ask that some share of the credit at any rate should be assumed by the public authority which was charged with making most of the public decisions during the course of those years? At any rate, I will claim this that whatever errors may have been made, whatever misfortunes may have been suffered, the course of Indian history . . .

Mr. President: Order, order.

(It being five of the Clock, Mr. President put the question.)

AYES—58.

Mitra, Mr. Satyendra Chandra.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Sriyut Tarun Ram.
Prakasam, Mr. T.
Purshotamdas Thakurdas, Sir.
Rang Behari Lal. Lala.
Ranga Iyer, Mr. C. S.
Rao, Mr. G. Sarvotham.
Sarda, Rai Sahib Harbilas.
Sarfaraz Hussain Khan, Khan-
Bahadur.
Shafee, Maulvi Mohammad.
Shervani, Mr. T. A. K.
Siddiqi, Mr. Abdul Qadir.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Singh, Mr. Ram Narayan.
Sinha, Kumar Ganganand.
Sinha, Mr. R. P.
Sinha, Mr. Siddheswar.
Tok Kyi, U.
Yusuf Imam, Mr.

NOES—53.

Jowahir Singh, Sardar Bahadur
Sardar.
Kabul Singh Bahadur, Captain.
Keane, Mr. M.
Kikabhai Premchand, Mr.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra-
Nath.
Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. Li.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V Pandurang.
Row, Mr. K. Sanjiva.
Row, Rai Bahadur Tarit Bhusan.
Sams, Mr. H. A.
Shah Nawaz, Mian Mohammad.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Singh, Raja Raghunandan Prasad.
Suhrawardy, Dr. A.
Sukes, Mr. E. F.
Taylor, Mr. E. Gawan.
Willson, Sir Walter.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was adopted.

(At this stage Maulvi Muhammad Yakub moved from his seat.)

Mr. President: The Honourable Member must resume his seat. (The Honourable Member did so.)

The question is:

"That a reduced sum not exceeding Re. 1 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Executive Council'."

The motion was adopted.

DEMAND No. 18.—SALT.

Mr. President: The question is:

"That a sum not exceeding Rs. 79,82,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Salt'."

The motion was adopted.

DEMAND No. 19.—OPIUM.

Mr. President: The question is:

"That a sum not exceeding Rs. 79,73,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Opium'."

The motion was adopted.

(At this stage some Honourable Members on the Congress Party Benches tried to leave the Assembly.)

Mr. President: Honourable Members should not rise when the Chair is putting questions.

(The Honourable Members resumed their seats.)

DEMAND No. 20.—STAMPS.

Mr. President: The question is:

"That a sum not exceeding Rs. 13,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Stamps'."

The motion was adopted.

DEMAND No. 21.—FOREST.

Mr. President: The question is:

"That a sum not exceeding Rs. 7,63,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Forest'."

The motion was adopted.

DEMAND No. 22.—IRRIGATION (INCLUDING WORKING EXPENSES), NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

Mr. President: The question is :

“That a sum not exceeding Rs. 16,61,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Irrigation, Navigation, Embankment and Drainage Works’.”

The motion was adopted.

DEMAND No. 23.—INDIAN POSTAL AND TELEGRAPH DEPARTMENT (INCLUDING WORKING EXPENSES.)

Mr. President: The question is :

“That a sum not exceeding Rs. 10,88,14,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Indian Postal and Telegraph Department (including Working Expenses)’.”

The motion was adopted.

DEMAND No. 24.—INDO-EUROPEAN TELEGRAPH DEPARTMENT (INCLUDING WORKING EXPENSES.)

Mr. President: The question is :

“That a sum not exceeding Rs. 26,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Indo-European Telegraph Department (including Working Expenses)’.”

The motion was adopted.

DEMAND No. 25.—INTEREST ON DEBT AND REDUCTION OR AVOIDANCE OF DEBT.

Mr. President: The question is :

“That a sum not exceeding Rs. 1,05,87,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Interest on Ordinary Debt, and Reduction or Avoidance of Debt’.”

The motion was adopted.

DEMAND No. 26.—INTEREST ON MISCELLANEOUS OBLIGATIONS.

Mr. President: The question is :

“That a sum not exceeding Rs. 37,85,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Interest on Miscellaneous Obligations’.”

The motion was adopted.

DEMAND No. 27.—STAFF, HOUSEHOLD AND ALLOWANCES OF THE GOVERNOR GENERAL.

Mr. President: The question is :

“That a sum not exceeding Rs. 4,81,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Staff, Household and Allowances of the Governor General’.”

The motion was adopted.

DEMAND No. 29.—LEGISLATIVE BODIES.

Mr. President: The question is :

“That a sum not exceeding Rs. 4,87,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Legislative Bodies’.”

The motion was adopted.

DEMAND No. 30.—FOREIGN AND POLITICAL DEPARTMENT.

Mr. President: The question is :

“That a sum not exceeding Rs. 8,08,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Foreign and Political Department’.”

The motion was adopted.

DEMAND No. 31.—HOME DEPARTMENT.

Mr. President: The question is :

“That a sum not exceeding Rs. 6,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Home Department’.”

The motion was adopted.

DEMAND No. 32.—PUBLIC SERVICE COMMISSION.

Mr. President: The question is :

“That a sum not exceeding Rs. 1,17,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Public Service Commission’.”

The motion was adopted.

DEMAND No. 33.—LEGISLATIVE DEPARTMENT.

Mr. President: The question is :

“That a sum not exceeding Rs. 5,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Legislative Department’.”

The motion was adopted.

DEMAND NO. 34.—DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Mr. President: The question is :

"That a sum not exceeding Rs. 5,97,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Department of Education, Health and Lands'."

The motion was adopted.

DEMAND NO. 35.—FINANCE DEPARTMENT.

Mr. President: The question is :

"That a sum not exceeding Rs. 10,86,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Finance Department'."

The motion was adopted.

DEMAND NO. 36.—SEPARATION OF ACCOUNTS FROM AUDIT.

Mr. President: The question is :

"That a sum not exceeding Rs. 14,12,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Separation of Accounts from Audit'."

The motion was adopted.

DEMAND NO. 37.—COMMERCE DEPARTMENT.

Mr. President: The question is :

"That a sum not exceeding Rs. 2,91,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Commerce Department'."

The motion was adopted.

DEMAND NO. 39.—DEPARTMENT OF INDUSTRIES AND LABOUR.

Mr. President: The question is :

"That a sum not exceeding Rs. 4,76,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Department of Industries and Labour'."

The motion was adopted.

DEMAND NO. 41.—PAYMENTS TO PROVINCIAL GOVERNMENTS ON ACCOUNT OF ADMINISTRATION OF AGENCY SUBJECTS.

Mr. President: The question is :

"That a sum not exceeding Rs. 1,28,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Payments to Provincial Governments on account of Administration of Agency subjects'."

The motion was adopted.

DEMAND No. 42.—AUDIT.

Mr. President: The question is :

“That a sum not exceeding Rs. 85,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Audit’.”

The motion was adopted.

DEMAND No. 43.—ADMINISTRATION OF JUSTICE.

Mr. President: The question is :

“That a sum not exceeding Rs. 55,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Administration of Justice’.”

The motion was adopted.

DEMAND No. 44.—POLICE.

Mr. President: The question is :

“That a sum not exceeding Rs. 1,77,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Police’.”

The motion was adopted.

DEMAND No. 45.—PORTS AND PILOTAGE.

Mr. President: The question is :

“That a sum not exceeding Rs. 20,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Ports and Pilotage’.”

The motion was adopted.

DEMAND No. 46.—SURVEY OF INDIA.

Mr. President: The question is :

“That a sum not exceeding Rs. 31,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Survey of India’.”

The motion was adopted.

DEMAND No. 47.—METEOROLOGY.

Mr. President: The question is :

“That a sum not exceeding Rs. 13,51,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Meteorology’.”

The motion was adopted.

DEMAND No. 48.—GEOLOGICAL SURVEY.

Mr. President: The question is:

“That a sum not exceeding Rs. 2,12,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Geological Survey’.”

The motion was adopted.

DEMAND No. 49.—BOTANICAL SURVEY.

Mr. President: The question is.

“That a sum not exceeding Rs. 4,51,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Botanical Survey’.”

The motion was adopted.

DEMAND No. 50.—ZOOLOGICAL SURVEY.

Mr. President: The question is:

“That a sum not exceeding Rs. 1,76,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Zoological Survey’.”

The motion was adopted.

DEMAND No. 51.—ARCHÆOLOGY.

Mr. President: The question is:

“That a sum not exceeding Rs. 16,64,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Archæology’.”

The motion was adopted.

DEMAND No. 52.—MINES.

Mr. President: The question is:

“That a sum not exceeding Rs. 1,71,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Mines’.”

The motion was adopted.

DEMAND No. 53.—OTHER SCIENTIFIC DEPARTMENTS.

Mr. President: The question is:

“That a sum not exceeding Rs. 3,30,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Other Scientific Departments’.”

The motion was adopted.

DEMAND No. 54.—EDUCATION.

Mr. President: The question is:

“That a sum not exceeding Rs. 3,24,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Education’.”

The motion was adopted.

DEMAND No. 55.—MEDICAL SERVICES.

Mr. President: The question is:

“That a sum not exceeding Rs. 8,08,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Medical Services’.”

The motion was adopted.

DEMAND No. 56.—PUBLIC HEALTH.

Mr. President: The question is:

“That a sum not exceeding Rs. 11,92,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Public Health’.”

The motion was adopted.

DEMAND No. 57.—AGRICULTURE.

Mr. President: The question is:

“That a sum not exceeding Rs. 15,28,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Agriculture’.”

The motion was adopted.

DEMAND No. 58.—CIVIL VETERINARY SERVICES.

Mr. President: The question is:

“That a sum not exceeding Rs. 6,66,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Civil Veterinary Services’.”

The motion was adopted.

DEMAND No. 59.—INDUSTRIES.

Mr. President: The question is:

“That a sum not exceeding Rs. 2,68,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Industries’.”

The motion was adopted.

DEMAND No. 60.—AVIATION.

Mr. President: The question is:

“That a sum not exceeding Rs. 5,68,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Aviation’.”

The motion was adopted.

DEMAND No. 61.—COMMERCIAL INTELLIGENCE AND STATISTICS.

Mr. President: The question is:

“That a sum not exceeding Rs. 3,09,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Commercial Intelligence and Statistics’.”

The motion was adopted.

DEMAND No. 62.—EMIGRATION—INTERNAL.

Mr. President: The question is:

“That a sum not exceeding Rs. 36,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Emigration—Internal’.”

The motion was adopted.

DEMAND No. 63.—EMIGRATION—EXTERNAL.

Mr. President: The question is:

“That a sum not exceeding Rs. 1,66,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Emigration—External’.”

The motion was adopted.

DEMAND No. 64.—JOINT STOCK COMPANIES.

Mr. President: The question is:

“That a sum not exceeding Rs. 1,46,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Joint Stock Companies’.”

The motion was adopted.

DEMAND No. 65.—MISCELLANEOUS DEPARTMENTS.

Mr. President: The question is:

“That a sum not exceeding Rs. 2,24,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Miscellaneous Departments’.”

The motion was adopted.

DEMAND No. 66.—INDIAN STORES DEPARTMENT.

Mr. President: The question is:

“That a sum not exceeding Rs. 17,34,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Indian Stores Department’.”

The motion was adopted.

DEMAND No. 67.—CURRENCY.

Mr. President: The question is:

“That a sum not exceeding Rs. 45,86,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Currency’.”

The motion was adopted.

DEMAND No. 68.—MINT.

Mr. President: The question is:

“That a sum not exceeding Rs. 19,65,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Mint’.”

The motion was adopted.

DEMAND No. 69.—CIVIL WORKS.

Mr. President: The question is:

“That a sum not exceeding Rs. 1,63,64,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Civil Works’.”

The motion was adopted.

DEMAND No. 70.—SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. President: The question is:

“That a sum not exceeding Rs. 37,59,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Superannuation Allowances and Pensions’.”

The motion was adopted.

DEMAND No. 71.—STATIONERY AND PRINTING.

Mr. President: The question is:

“That a sum not exceeding Rs. 54,78,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Stationery and Printing’.”

The motion was adopted.

DEMAND No. 73.—REFUNDS.

Mr. President: The question is:

“That a sum not exceeding Rs. 65,51,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Refunds’.”

The motion was adopted.

DEMAND No. 75.—BALUCHISTAN.

Mr. President: The question is:

“That a sum not exceeding Rs. 27,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Baluchistan’.”

The motion was adopted.

DEMAND No. 76.—DELHI.

Mr. President: The question is:

“That a sum not exceeding Rs. 40,16,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Delhi’.”

The motion was adopted.

DEMAND No. 77.—AJMER-MERWARA.

Mr. President: The question is:

“That a sum not exceeding Rs. 14,54,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Ajmer-Merwara’.”

The motion was adopted.

DEMAND No. 78.—ANDAMANS AND NICOBAR ISLANDS.

Mr. President: The question is:

“That a sum not exceeding Rs. 42,92,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Andamans and Nicobar Islands’.”

The motion was adopted.

DEMAND No. 79.—RAJPUTANA.

Mr. President: The question is:

“That a sum not exceeding Rs. 5,50,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Rajputana’.”

The motion was adopted.

DEMAND No. 80.—CENTRAL INDIA.

Mr. President: The question is:

“That a sum not exceeding Rs. 5,90,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Central India’.”

The motion was adopted.

DEMAND No. 81.—HYDERABAD.

Mr. President: The question is:

“That a sum not exceeding Rs. 2,92,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Hyderabad’.”

The motion was adopted.

DEMAND No. 83.—EXPENDITURE IN ENGLAND—HIGH COMMISSIONER FOR INDIA.

Mr. President: The question is:

“That a sum not exceeding Rs. 37,80,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Expenditure in England—High Commissioner for India’.”

The motion was adopted.

Expenditure charged to Capital.

DEMAND No. 84.—CAPITAL OUTLAY ON SECURITY PRINTING.

Mr. President: The question is:

“That a sum not exceeding Rs. 67,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Capital Outlay on Security Printing’.”

The motion was adopted.

DEMAND No. 85.—FOREST CAPITAL OUTLAY.

Mr. President: The question is:

“That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Forest Capital Outlay’.”

The motion was adopted.

DEMAND No. 86.—IRRIGATION.

Mr. President: The question is:

“That a sum not exceeding Rs. 1,74,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Irrigation’.”

The motion was adopted.

DEMAND No. 87.—INDIAN POSTS AND TELEGRAPHS.

Mr. President: The question is:

"That a sum not exceeding Rs. 69,87,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Indian Posts and Telegraphs'."

The motion was adopted.

DEMAND No. 88.—INDO-EUROPEAN TELEGRAPHS.

Mr. President: The question is:

"That a sum not exceeding Rs. 1,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Indo-European Telegraphs'."

The motion was adopted.

DEMAND No. 89.—CAPITAL OUTLAY ON CURRENCY NOTE PRINTING PRESS.

Mr. President: The question is:

"That a sum not exceeding Rs. 10,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Capital Outlay on Currency Note Printing Press'."

The motion was adopted.

DEMAND No. 90.—CAPITAL OUTLAY ON VIZAGAPATAM HARBOUR.

Mr. President: The question is:

"That a sum not exceeding Rs. 47,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Capital Outlay on Vizagapatam Harbour'."

The motion was adopted.

DEMAND No. 91.—COMMUTED VALUE OF PENSIONS.

Mr. President: The question is:

"That a sum not exceeding Rs. 21,34,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Commuted Value of Pensions'."

The motion was adopted.

DEMAND No. 92.—NEW CAPITAL AT DELHI.

Mr. President: The question is:

"That a sum not exceeding Rs. 1,38,39,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'New Capital at Delhi'."

The motion was adopted.

DEMAND No. 93.—INTEREST-FREE ADVANCES.

Mr. President: The question is:

“That a sum not exceeding Rs. 93,95,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Interest-free Advances’.”

The motion was adopted.

DEMAND No. 94.—LOANS AND ADVANCES BEARING INTEREST.

Mr. President: The question is:

“That a sum not exceeding Rs. 9,00,43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Loans and Advances bearing Interest’.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 16th March, 1928.

LEGISLATIVE ASSEMBLY

Friday, 16th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. Satyendra Nath Roy, M.L.A. (Bengal: Nominated Official).

STATEMENT OF BUSINESS.

The Honourable Sir Basil Blackett (Leader of the House): Sir, I desire with your permission to make a statement about the probable course of business for next week. Members have seen the somewhat lengthy combined list of business for to-day and to-morrow. If we do not dispose of it completely by to-morrow evening, we shall on Monday first take such business as remains over from this combined list and thereafter motions will be moved to take into consideration and pass the Indian Mines (Amendment) Bill. We shall next take the Excess and Supplementary Demands, and this business may extend over Wednesday. Tuesday is allotted for non-official Resolutions, and Thursday is allotted for non-official Bills. Friday and Saturday are holidays for the Id.

STATEMENT LAID ON THE TABLE.

PURCHASE OF STORES BY THE HIGH COMMISSIONER FOR INDIA.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I beg to lay on the table a statement furnished by the High Commissioner for India showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India during the half year ending the 31st December, 1927

HIGH COMMISSION

INDIA STORE

ABSTRACT OF CASES in which tenders for Stores demanded by the Central Gov
the goods demanded, were accepted on the grounds
greater facility of inspection,

HALF YEAR ENDING

PART A.—Cases in which lower foreign tenders, including British tenders for
ten

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Axleboxes .	G.1028/1333/2-7-27 .	Banting & Tresilian, Ltd.	3,141 17 6 (Belgian).
	G.1029/1333/2-7-27 .	The Patent Axlebox & Foundry Co., Ltd.	4,531 5 0 (British).
		Total . . .	7,673 2 6
Axleboxes— No. 655	G.1259/1369/19-7-27 .	Acieries de Haine-Saint- Pierre et Lesquin, Ltd.	483 1 3 (Belgian).
No. 1200	G.1260/1369/19-7-27 .	Usines & Acieries Allard	1,185 0 0 (Belgian).
No. 3365	G.1261/1369/19-7-27 .	Patent Axlebox & Foun- dry Co., Ltd.	3,655 18 9 (British).
Total . 5220		Total . . .	5,324 0 0
Binoculars . .	G.1749/2191/23-8-27 .	Ross, Ltd.	172 1 8 (British).

TENDER FOR INDIA..

DEPARTMENT.

ernment, other than the lowest complying with the technical description of
of superior quality, superior trustworthiness of the firm tendering,
quicker delivery, etc.

31st DECEMBER, 1927.

foreign made goods, have been set aside wholly or partially in favour of British
tenders.

Lowest Tender not accepted.	Reason for acceptance.
£. s. d.	
6,283 15 0 (Belgian).	4,000 axleboxes were required in India by September, 1927, and 4,000 boxes by November, 1927. The lowest tenderer offered to commence delivery in August 1927 and complete by about the end of January, 1928. This firm was seriously in arrears with current contracts for axleboxes and it would clearly have been impossible for them to deliver the whole quantity by the time required. Half the order only was therefore placed with this firm. The remainder of the order was placed with the lowest tenderer who could comply with the delivery requirements.
For 5,220 axleboxes	The indent called for delivery of 5,220 axleboxes in India in three instalments, the first by 30th June, the second by 30th September and the third by 31st December, 1927.
	The deliveries offered for the first two instalments by the eight lowest tenderers were unduly long in view of the urgency of the requirements.
4,741 3 7 (Belgian).	Approximately two-thirds of the total number of axleboxes were therefore ordered from The Patent Axlebox Foundry Co., Ltd., who offered delivery of the first instalment in four weeks and of the second instalment by 15th September. The two remaining items of the indent were ordered from the lowest tenderer for each, who promised delivery in October and November.
154 11 8 (French).	The Indenting Officer demanded Ross's binoculars. Competitive tenders were invited and a quotation was received for glasses considered technically equivalent to Ross's at £154-11-8. Messrs. Ross quoted £172-1-8. The quotations were telegraphed to the Indenting Officer who expressed his preference for Ross's make.

PART A.—

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
Bottles . . .	G.1957/3352/3-9-27 . .	Pickerdite and Co., Ltd.	£ s. d. 550 0 0 Delivery :— commence immediately, complete in 4 weeks. (British).
Cable, electric . .	G.2463/3366/4-10-27 . .	British Insulated Cables, Ltd.	1,365 12 0 Delivery 5/11 weeks (British).
Paper typewriting	G.3013/4851/16-11-27. .	Spicers, Ltd. . . .	44 18 10 (British).
Binoculars . . .	G.3141/4779/25-11-27. .	E. R., Watts	2,505 0 0 (French).
	G.3142/4779/25-11-27.	Ross, Ltd.	2,826 8 3 (British).
		Total	5,331 8 3

confid.

Lowest Tender not accepted.	Reason for acceptance.
£ s. d.	
525 0 0 Delivery in 6 weeks. (German).	The lowest tender came from a firm which had been found unsatisfactory in regard to delivery on former occasions. In view of the urgency of the demand the next lowest tender was accepted.
1,239 14 0 Delivery 26 weeks. (French).	The lowest tender, offering very long delivery, came from a continental firm unknown to the Department. The cable required is difficult to manufacture and it would have been unsafe to entrust an order for it to an unknown firm without preliminary inspection of the works and without periodical inspection during manufacture. The cost of these special visits would have absorbed most of the difference between the price quoted by this firm and that of the next lowest tenderer.
37 13 0 (Finnish).	The accepted tender was the best offer received having regard to the extra cost of inspection abroad.
	The indent stated that delivery of the binoculars was required in India by 1st March 1928, or earlier.
	The lowest tenderer offered to commence delivery in 4 months and complete in 6 months and the Indenting Officer was therefore asked by telegram whether the lowest tender should be accepted in full, or whether the urgency warranted division of the order.
5,006 5 0 (French).	In reply he asked that the order should be divided between the two lowest tenderers.

PART B.—Cases in which the discrimina

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Cranes, electric .	G.889/7377-26-22-6-27	Chatteris Engineering Co.	3,784 0 0 (British) Delivery :— 18 weeks.
Tubing, steel, weld- less.	G.1520/1775/10-8-27 .	Accles & Pollock, Ltd. .	41 13 4 (British).
Paper, linen back- ed.	G.1805/2451/26-8-27 .	Albert E. Mallandain, Ltd.	408 6 8 (British).
Cocks for water .	G.1894/2499/31-8-27 .	James Barwell, Ltd. .	120 18 9
	G.1895/2499/31-8-27 .	Millar, Dennis & Co. .	139 2 6
		Total .	260 1 3 (British).
Bridgework .	G.2521/3515/7-10-27 .	Patent Shaft & Axletree Co., Ltd.	1,198 18 6 (British).
Materials for in- takes and gene- ral construction at pump house.	G.2588/S.3573/14-10-27	Alex. Findlay & Co., Ltd.	1,242 5 10 (British).
Paper litho .	G.2800/3477/31-10-27.	Alex. Cowan & Sons., Ltd.	219 13 4 (British).

tion is between British firms only.

Lowest Tender not accepted.	Reason for acceptance.
£ s. d.	
3,695 13 4 (British). Delivery 28 weeks.	Accepted on the grounds of the superior design of the cranes offered which represented more than the difference in price between the two quotations. The cranes were required in India in June, 1927.
28 12 11 (British).	The lowest tenderer could not deliver in less than 10 weeks. As the indenting officer requested a very early supply the order was placed with the next lowest tenderer who offered delivery in about two weeks.
385 0 0 (British).	The Indenting Officer had particularly requested that Messrs. Mallandain's paper should be supplied. As their price was only £23 higher than the lowest tender, their offer was accepted.
	Certain items could have been obtained at a cheaper rate, but those purchased were heavier and better value for money.
250 6 3 (British).	
1,095 15 0 (British).	The bridgework was required in India by 15th January, 1928, and the lowest tenderer could not undertake delivery in less than 20 weeks. The next lowest tender, which offered delivery under penalty in 12 weeks, was therefore accepted.
1,185 0 0 (British).	The materials were very urgently needed in India. The lowest tenderer offered delivery in 18 weeks. The next lowest tender, which guaranteed delivery in thirteen weeks, was therefore accepted.
203 6 1 (British).	Supply by Alex. Cowan and Sons, Ltd., was particularly requested by the Indenting Officer.

PART C.—Cases in which the discrimination

Stores ordered.	Contract Number.	Name of Contractor.	Amount of Contract.
			£ s. d.
Steel Fishbolts—			
200,000 . . .	G.1204/1774/14-7-27 .	Usines & Acieries Allard	11 19 4 per ton 2,476 10 0 (Belgian).
		(Delivery :— 80,000/100,000 pieces per month ; complete 2½ months.)	
200,000 . . .	G.1205/1774/14-7-27 .	Usines et Boulonneries de Mariemont.	12 18 0 per ton 2,669 16 9 (Belgian).
			5,146 6 9
		(Delivery :— 100,000 pieces by 1-9-27 100,000 pieces by 1-10-27).	
Fishbolts . . .	G.1365/1961/27-7-27 .	Ste. Ame. des Usines et Boulonneries de Marie- mont.	405 18 11 (Belgian).
Gloves, operation	G.3390/6051/14-12-27 .	Down Bros., Ltd. . .	45 0 0 (American).

is between Foreign firms only.

Lowest Tender - not accepted.	Reason for acceptance.
£ s. d. 11 19 4 per ton. 4.953 0 0 (Belgian).	The fishbolts were very urgently required in India and the lowest tenderer required 4 weeks to commence and 18 weeks to complete. This delivery was long and it was improbable that it would be adhered to as the firm had an order from this Department in hand for 266,400 fishbolts for delivery from middle of July to middle of November, 1927. In view of the special urgency half the order only was placed with the lowest tenderer. The remainder of the order was placed with the second lowest tenderer whose time for delivery was considered reliable.
361 1 6 (Belgian). 392 19 10 (Belgian).	The fishbolts were for rails required in India in August and September, 1927. The times of delivery offered by the lower tenderers were by the end of November, and in ten weeks, respectively, the better of which would not have met requirements. The order was therefore placed with the next lowest tenderer who offered delivery of the fishbolts between the 7th and 21st September.
42 12 0 (American).	The Indenting Officer specially asked for supply from Down Bros. As their price was only £2.8 more than the lowest tender, their offer was accepted.

THE INDIAN FINANCE BILL.

The Honourable Sir Basil Blackett (Finance Member): Sir, I beg to move that the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, further to amend the Indian Paper Currency Act, 1923; and to fix rates of income-tax, be taken into consideration.

I do not think that there is any necessity for me to make anything of a speech at this stage on this particular Bill, but it is my duty to inform the House of the action that the Governor General in Council has decided to take in regard to the Grants that have recently been passed or not passed by this House. In exercise of his powers under section 67A (7) of the Government of India Act, the Governor General in Council has decided to restore the four big cuts, that is to say, Rs. 80,999 under "Executive Council," Rs. 5,70,999 under "Army Department," Rs. 3,40,000 under "Miscellaneous," and Rs. 13,44,999 under "Expenditure in England—Secretary of State for India." Honourable Members. I think, cannot be entirely surprised, because, whatever the merits of the censure that was intended, it was obvious that the money was required.

Sir, I move.

The motion was adopted.

Mr. President: The question is:

"That clause 2 do stand part of the Bill."

Pandit Nilakantha Das: I do not propose to move my amendment,* as Mr. Duraiswamy Aiyangar's is better.

Mr. V. V. Jogiah (Ganjam *cum* Vizagapatam: Non-Muhammadian Rural): Sir, my motion relates to the reduction of the salt duty from Rs. 1-4-0 to 0-8-0.

In moving this amendment of mine, Sir, I do not wish to say many words, because this motion in the same form has come so often before the House. Many words of mine are therefore not needed to commend this motion to your acceptance. So far as salt is concerned, it is admitted on all hands that it is a commodity which is essential by even the poorest of our people. It is also required by cattle, and it has often been pointed out that unless sufficient quantities of salt are made available to the people, they cannot live a healthy existence. Government themselves have often admitted the necessity to reduce the duty on salt. The highest officials of the State have reiterated that it is a tax which must be reduced at the earliest possible opportunity. I do not wish to repeat the arguments which have so often been placed before this House. With these words I move my amendment.

Mr. C. Duraiswamy Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadian Rural): May I ask for a ruling, Sir? The amendment that is No. 9, on the list, which is for the total remission of the salt duty, would be in order if it is taken up before an amendment asking for its reduction to eight annas. The motion stands on the same

* "That clause 2 of the Bill be omitted."

footing as that which was given notice of by my Honourable friend, Pandit Nilakantha Das; only the wording is different, but the substance is the same.

Mr. President: The Honourable Member may move it now.

Mr. C. Duraiswamy Aiyangar: I beg to move:

"To clause 2 of the Bill the following be added at the end—

'and the said provisions shall in so far as they enable the Governor General in Council to reduce or remit any duty so imposed be construed as if with effect from the first day of April, 1923, they remitted the duty to the extent of the said one rupee and four annas and such remission shall be deemed to have been made out of the leviable duty by rule made under that section'."

Sir, in effect the amendment which I place before the House authorises His Excellency the Governor General in Council to make Rs. 1-4-0 as the leviable duty on salt, but under the very same section, section 7 of the Indian Salt Act, it is equally open to His Excellency the Governor General in Council to reduce or remit the entire duty which is payable on salt. The effect of my amendment would be that so far as the imported salt is concerned, the duty of Rs. 1-4-0 will still be leviable, because under the Indian Tariff Act the duty that is leviable upon imported salt is the same as that which is leviable on the salt manufactured within British India. Therefore, if by this amendment you authorise His Excellency the Governor General in Council by a rule made under section 7 of the Indian Salt Act to make Rs. 1-4-0 leviable as duty on salt manufactured within British India, the Indian Tariff Act authorises the collection of the same duty on the imported salt but for purposes of collection it is open under the very same section of the Indian Salt Act to reduce or remit the duty, and I therefore appeal to this House to vote for that rule also being made, that the entire duty which is leviable be reduced or remitted by the same provisions.

Sir, I appeal to you that this year, having proceeded a step further, you would sympathise with me and hear me rather patiently. Of course on previous occasions I have heard some impatient die-hards, particularly on the European Benches of this Assembly, saying that this is only a hardy annual and that the same arguments have been repeated every year. That has been the objection against my speech on previous occasions by my friends Sir Walter Willson and Mr. Croke. I therefore crave the patience of this House to consider the special circumstances of this year's Budget and ask that this House do agree to a total remission of the salt tax. I am not going to repeat the ancient history of the salt duty which I have mentioned before this House on several previous occasions. The Honourable the Finance Member, who is shortly to leave the land of his birth for the land of his love has been applauded for the surplus and prosperous Budget that he has presented this year. It does not seem a matter of rejoicing that in a country of heavy taxation a surplus Budget is produced. On the other hand, it shows only that, because of the heavy taxation under which people are groaning, the Honourable the Finance Member is able to produce a surplus Budget before this House. If he had done something to relieve the poor people of their taxation and produced even a deficit Budget, that would have been a matter for greater congratulation than a budget which shows to us a

[Mr. C. Duraiswamy Aiyangar.]

large surplus which is wrung out of the poor people. It has been remarked on previous occasions, that this cry against the salt duty, against the breakfast duty is only out of sentiment. It may be a sentiment and yet it is an honest and righteous sentiment. That a poor man's breakfast should be taxed is not worthy of any civilised government, and I have no hesitation in saying that any Government which taxes the poor man's food is showing melancholy meanness. Therefore, I would request the Government to consider this aspect very carefully. Before the Honourable the Finance Member leaves these shores, I hope he will leave something behind him to enable the poor people to think of him. In the course of my remarks yesterday, the Honourable the Finance Member intervened and said that he had gone to the villages of the agriculturists. I hope the information which he had gathered there will enable him to corroborate my statement of the hardships which they feel. The Honourable the Finance Member may shake his head. That only shows

The Honourable Sir Basil Blackett: I was shaking off a fly at the moment. (Laughter.)

Mr. C. Duraiswamy Aiyangar: Sir, the Honourable the Finance Member has reduced the duty on motor cars, on motor oil. He has abolished the duty on tea, and precious stones can be imported into the country free of duty. He has reduced the duty on saccharine. Are these the burdens under which the poor people were groaning? Persons who are using motor cars and motor vehicles are the persons who appeal to him more than the poor agriculturists, who require salt not only for themselves but also for their cattle. That is why they have always thought that the Honourable the Finance Member is under the impression that the Indian agriculturists are ploughing their fields with motor vehicles and engines and not by the help of bullocks and ploughs. I therefore make an appeal to the Honourable the Finance Member to do something before he leaves these shores in the shape of giving some relief to the poor people, and that he can do only by reducing the salt tax at least, if he does not consent to abolish it. This year seems the most auspicious year when he can do this for the poor people of this country. I wonder why my Honourable friends, the European Members of this Assembly, are not so sympathetic to the Indian poor as English men were in the year 1852. I would again quote what I quoted on the last occasion as it would bear repetition; at page 449 of Dutt's Economic History of India in the Victorian age you will find that the Chamber of Commerce of Bristol submitted a vigorous and well argued petition on the hardship caused by the salt tax in India. I do not go into the motives of that petition, but the argument is very sound:

"The price to the consumer here in England is 30s. per ton instead of £21 per ton as in India and if it were necessary to abolish the salt tax at home some years hence it appears to your petitioners that the millions of your Majesty's subjects in India have a much stronger claim for its remission in their case, wretchedly poor as they are and essentially necessary as salt is to their daily sustenance and to the prevention of disease in such a climate."

This, Sir, is the petition presented by the people of Bristol in the year 1852, but by the time we reach 1927 the mentality of our European friends towards India has considerably changed. No wonder then that Mr. Contman, Director of Public Information, gives out a statement

saying that except among a few Anglo-Indians and among the educated middle classes there is no question of unemployment in this country and that the agriculturists are prosperous and above need. If this is the kind of report which Mr. Coatman submits, no wonder our European friends take that as their authority. On the other hand, I would request the Finance Member and other European friends to place their personal knowledge of the situation of the people of this country into the bargain and consider this question from that aspect. Sir, it has been said that the tax means only Rs. 0-3-6 per head per year and that it is not a heavy tax. That was the argument of the Honourable Sir Basil Blackett on a previous occasion, but considering the average income of the people of this country, do you not think that 3 annas 6 pies under the one item of salt alone is a heavy burden? Sir, you are aware that the agriculturist would rather forego his own salt than refuse salt to his cattle to keep them healthy, and in that view of the matter I am sure you will realise the difficulties which these people feel in the matter of salt duty.

Now, Sir, on previous occasions I have quoted figures to show how from the early stages of the salt tax it has always been treated as the one rescue, the one solace of the Finance Member when he finds a deficit. Switch up the salt tax; that is the one cry whenever there is a deficit. You do not care if 48 lakhs is thrown away by the reduction of the duty on tea. You insist upon switching up the salt tax whenever a deficit is to be found. And, Sir, it is an admitted fact that whenever the salt duty is reduced the consumption of salt increases. Do you or do you not want that the consumption of salt should increase? Do you not feel that the consumption of salt is better for the healthy growth of the people of this country than the opium which the Government of India distributes and the liquor which the Provincial Governments dole out. Sir, I have often said that the Government of India's machinery for nation-building is opium and in the case of the Local Governments it is liquor. Barring these two things you will not consider any other item which will conduce to the healthy growth of the people of this country. On a previous occasion, when I was proposing this amendment, Mr. Lloyd, representing the Government, admitted that there is necessarily an increase in consumption the moment the salt tax is reduced. At page 2514 of Vol V, Part III, of the Legislative Assembly debates, he said:

"When the salt duty was Rs. 2-8-0 a maund in 1902-03 the average consumption per head of the population was 5 seers. When it was at Re. 1 a maund, 10 years later, the average consumption was only 6 seers per head of the population. Some increase in consumption must be allowed for, but that it could be so large as Mr. Duraiswamy Aiyangar anticipated it is, I think, quite unreasonable to believe."

By all means let him not believe it. I said that the consumption would go up to 9 crores if only the salt tax was reduced, and at that time I asked for a reduction of 8 annas. Am I unreasonable? There is this clear admission by your Government Member, Mr. Lloyd, that there must necessarily be an increase, and he said it would be about 20 per cent. Now, Sir, do you or do you not grant that it is the bounden duty of the Government to see that the people consume more salt, even at the cost of a little revenue? Are you going to apply the principle of "Minimum consumption maximum revenue" to salt, to opium or to both indiscriminately. I ask you, Sir, do you or do you not care—I do not mean the President, who has always cared, but the Finance Member—for the health and welfare of the people in connection with which you

[Mr. C. Duraiswamy Aiyangar.]

hold so many exhibitions all over the country? And if you do, I would request you to see that the salt tax is reduced. I would go further and put it on the sentimental ground that it is a humiliation for any country to say that it is taxing its salt, not only the imported salt but the salt manufactured in its own bounds. Is there a country like that anywhere in the world? Can you quote a single example where a country manufactures salt within its own limits and yet charges a duty on that salt?

The Honourable Sir Basil Blackett: Yes, many.

Mr. C. Duraiswamy Aiyangar: In England there was a duty of 30s. per ton in 1832, but that was abolished. Why did you abolish it? Was England unable to bear that 30s. duty per ton on salt? Sir, I say on principle you ought not to tax the poor man's breakfast. I consider it is the solemn duty of Government to see that that is not done. I ask whether it is not a fact that India is able to produce not only the salt necessary for her own use but for export purposes also and make a profit out of it? India is not surrounded by fresh water. It has two thousand miles of coast line. There are salt lakes, and there are mineral sources. And with all this abundance, Sir, we produce salt at a cost of 2 to 3 annas per maund. But with the duty of Rs. 1-4-0 it is ultimately available to the rural consumer at a cost of Rs. 3-0-0 to 3-8-0 a maund. Nothing could be a greater disgrace to a civilized Government than to make a man purchase an article for Rs. 3 a maund when its cost of production in his own country is no more than 3 annas a maund. Sir, I appeal to the Members of this House to see to it that this duty is altogether abolished and that future Budgets are not disfigured by this salt revenue. Not only is it a source of revenue but it furnished the third best revenue of all the sources of revenue of the country. Sir, I appeal to you, and I move my amendment.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur cum Orissa: Muhammadan): Sir, I move my amendment, which is:

"That in clause 2 of the Bill for the words 'one rupee and four annas' the words 'one rupee' be substituted."

So much has been said in regard to this question and so much has the question been discussed in this House that I do not think it is at all necessary for me to dwell on this at any length. It must be understood by everybody that salt is an article which is used by all alike, by the richest and the poorest of the poor, as also by cattle. Its taxation therefore does not affect only a small class of people as in the case of other articles. I have no doubt that the Honourable the Finance Member has done much by the remission of provincial contributions by way of giving relief to the people of the country. But that benefits only a section of the people, whereas the salt duty affects the poorest of the poor. I do not know whether the Honourable the Finance Member is aware that the people in rural areas are very poor. They have scarcely two meals a day. By reducing the duty from one rupee four annas to one rupee he will be helping the really poor.

With these few words I move my motion.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I recognise that the question of the salt duty is a hardy annual in this House; but it is one which will always have the attention of this House when considering the Finance Bill from year to year. It is true that the exigencies of the financial position of the Government of India and the Budget, as presented to this House, do not permit of any change in the existing salt duty this time. But I cannot help feeling that the salt duty of the Central Government is as bad as the liquor excise duty of the various Provincial Governments. The liquor excise is a duty which reflects degeneration of the people of India from year to year. In the case of salt duty the Government of India are making a revenue by starving the people and the cattle of salt—salt which is necessary for the health of both these. I do not wish, and nor do I think I can, add anything usefully to the appeal which has been so pathetically made by Mr. Duraiswamy Aiyangar. But I feel that the correct way of attacking this duty is, if I may suggest to my Honourable friend, not by an amendment of the annual Finance Bill but by an inquiry into this problem. To that end, Sir, I would like to ask if the Honourable the Finance Member is in a position to tell us anything further in connection with a report which he told us last year was being examined in his Department. I am now, reading, Sir, from the proceedings of the Assembly of the 14th March, last year

Mr. C. Duraiswamy Aiyangar: Dr. Paranjpye and the Taxation Inquiry Committee have reported that 8 annas is the proper duty.

Sir Purshotamdas Thakurdas: I am now referring to another thing, Mr. Duraiswamy. I will read, Sir, a short extract from the Finance Member's reply last year:

“With regard to the second question,”

—the Honourable the Finance Member said—

“that of making India self-supporting in the matter of salt, I informed the House last year that in accordance with the recommendations of the Taxation Enquiry Committee the Government intended to appoint a special officer to enquire into the whole case with a view to considering whether there was a case to go before the Tariff Board. The special officer has been on duty and has just recently submitted a report. That report is under the consideration of the Government. We have not had any time to consider it yet. If there is a *prima facie* case for the Tariff Board, the matter will be referred to them. At present I am not in a position to make any statement in regard to the possibilities in the matter. I would suggest that the Honourable Member should be satisfied with having raised this interesting point and should now agree to withdraw his motion and let the House proceed to discuss the other points under consideration.”

At that juncture, Sir, I inquired whether the report of that special officer would be published and circulated to Members of the Assembly when the Government had made up their mind about it. The Honourable the Finance Member said that he was not sure in what form the report had been made, but “certainly either the report itself or the contents would be made known to the Assembly.” As far as I am aware, Sir, I do not think that the Members of the Assembly have yet seen anything of the report in any form, but it is quite possible that I have overlooked

[Sir Purshotamdas Thakurdas.]

it if the Finance Department have circulated any information about this interesting report.

I wish to submit, Sir, that it is not right for the Government of India to merely listen to our speeches on the salt duty from year to year and do nothing. It is very necessary to see if India can be made "self-supporting," to use the Honourable the Finance Member's own words last year, in the matter of the production of salt within India. I hope, that in the course of his reply the Finance Member will be able to throw some light on this important question (it is not a question which is restricted only to the sentimental aspect) where we are all unanimous that salt should be made available to the people of India at as little cost as possible and without any artificial gain to the Government if that is possible. My friend, Mr. Duraiswamy Aiyangar, said that the greater the reduction in the salt duty—or in other words, it would be the same thing,—the cheaper the salt is—the greater is the consumption of salt. Now some light might be thrown on the point, whether the figures justify this, namely, when the salt duty was put up to Rs. 2-8-0, the consumption of salt did go down. I know that in deciding this there are some considerations which do come in. When the salt duty is proposed to be raised, there is a larger off-taken from the Government salt depôts before the higher salt duty becomes operative. To that extent I know the figures are not very reliable. But if the Government of India are convinced that the lower the salt duty or the price of salt, the greater the consumption, I venture to ask why the Government do not try this maxim which they have been trying in connection with other articles and put down the salt duty and see if, owing to a reduction, they cannot make up for the apparent loss which may threaten their revenues at the start. Sir, in reducing the petrol duty or in reducing the duty on motor cars we were told that the Government thought that the apparent loss would be made up by larger imports. Why then should Government not try that same principle of small profit and big turnover in connection with salt? They would not have a more grateful House than this if they ever tried to make an experiment in that direction with salt. I feel, therefore, Sir, that whilst at the moment I am not in a position to support either the reduction of the salt duty to 8 annas or even to the very modest figure of one rupee as suggested by my Honourable friend, Khan Bahadur Sarfaraz Hussain Khan, the Government of India should not sit tight on this question. I think it would be well for them to realize that we are in earnest, and that unless something tangible or substantial is done, they may find in the very near future that we may be forced to be as reckless as they allege we are in some other subjects.

***Mr. Muhammad Yamin Khan** (United Provinces: Nominated Non-Official): Sir. I have heard the old old story repeated about the reduction of the salt duty. No new arguments have been put before this House, and the same arguments have been repeated which we have been hearing for the last six or seven years. I am afraid, Sir, I cannot support the amendment either of Mr. Duraiswamy Aiyangar or of Khan Bahadur Sarfaraz Hussain Khan. The reason is that if the amendment of my Honourable friend, Khan Bahadur Sarfaraz Hussain Khan is carried.

* Speech not corrected by the Honourable Member.

the real object which he has in his mind will never be achieved. He wants to benefit the consumer, but I do not think that by the reduction of this duty the consumer can benefit at all. All this money will go into the pockets of the middleman. Poor people never purchase in big quantities which can make any difference. They generally go to the bazaar and purchase in very small quantities. Any Honourable Member who likes can go and see in the bazaars for himself if this is not so,—if he is in touch with the public at all. The poor man goes and purchases his requirements in terms of a pice, and the seller, the *bania*, never gives him things by weight. All he does is to give him some salt and a little pepper and another thing and something else for another pice and he puts them into a small piece of paper, and then the poor man goes back home. The poor consumer never knows what he is getting and what he is not getting. Supposing the duty on salt comes down from Rs. 1-4-0 to one rupee, what will be the marked difference on one pice? That will never help the consumer. This question has been examined every year. Some Honourable Members have been here for a long time and have been urging this not only on sentimental grounds but they have gone back to their places and they have studied this question in minute details. I have myself tried, after studying the debates in the Legislature to see the state of affairs in the bāzaars—I may say I am connected with municipal affairs in my city—and to find out exactly what is the position of the poor consumer who purchases these articles, and I have been convinced that, whether the duty stands at Rs. 1-4-0 or one rupee only or even if you reduce it to twelve annas, it will make no difference at all, but it will certainly make a difference in the case of the middleman. If you want that at the expense of your education or at the expense of the money which the Central Government is going to remit to the provinces and which money can be better utilised for education and sanitation and other improvements, and if you want this to help only the middleman, of course you can do it. But I think those other requirements are far greater than this little help to the middleman who does not stand in any need at all of any help whatsoever. Where will it go? Of course your provincial contributions will be affected.

An Honourable Member: Not at all.

Mr. Muhammad Yamin Khan: Certainly. Where will you find the money to remit to the provinces?

Mr. C. Duraiswamy Aiyangar: That Sword of Damocles has been put aside by the Finance Member.

Mr. Muhammad Yamin Khan: That will still not help the poor people. If you cut this money the effect will be on provincial contributions; that will take away from you large sums which you get for the development of cities and rural areas such as sanitation, education and many other matters.

Mr. B. Das: Where is sanitation and education in the Government of India?

Mr. Muhammad Yamin Khan: Not in the cities, but in the villages. If the Honourable Member goes and finds out what the municipal and

[Mr. Muhammad Yamin Khan.]

district boards are doing and where they get money from, he will realise the difficulties which they have to face when they have to carry on the local administration. It is one thing to talk here without knowing the real facts and what is happening in the country.

Mr. B. Das: Is it not a libel on me, Sir, to say that I do not know the province and my own towns?

Mr. Muhammad Yamin Khan: Anybody who realises these facts will, I am sure, give thought to these matters. Let them not be carried away by sentiment; it is better to apply sometimes a cool mind in order to arrive at a proper understanding. Here I am putting forward the difficulties. I know the difficulties which we have experienced. I am connected with municipal administration for the last 14 years.

Mr. President: The Honourable Member is repeating

Mr. Muhammad Yamin Khan: That being so, Sir, I think Khan Bahadur Sarfraz Hussain Khan's amendment cannot stand, far less Mr. Duraiswamy Aiyangar's amendment. If he wants to take away this money, then some money must be found to meet the expenses which we have got in the Budget; it will have to come in the shape of some other tax which will probably fall harder on the poor consumer than the salt tax, I am convinced, Sir, that this salt tax does not affect the poor consumer at all.

The Honourable Sir Basil Blackett: Sir, I hope the House will come to a conclusion on this. The question before us is a fairly simple one. We have actually three different amendments, one to reduce the tax to 3 annas, one to reduce it to Re. 1, and the amendment of Mr. Duraiswamy Aiyangar, which, I think, is meaningless, is intended to levy the duty at Rs. 1-4-0 for purposes of import but to abolish it for purposes of excise. I am afraid he entirely fails to succeed in his object in the amendment he has put forward. He realises that the duty on imported salt is at the rate at which the excise duty is leviable for the time being and he tries by this amendment to arrive at the same time at two contradictory results. He wants to make the tax cease to be leviable for purposes of excise and make it collectable for purposes of import at the rate at which it is leviable for purposes of excise. If it is not leviable for purposes of excise, there is no rate at all at which it is leviable for excise; there is, therefore, no rate at which it is leviable for purposes of customs. I think his amendment is out of order, Sir, though I did not raise that point, but its only effect is to abolish the duty altogether if it has any effect at all. That is as regards the effect of his amendment. The other two amendments involve, one a smaller, one a greater, loss of revenue for the current year, and as Mr. Yamin Khan has pointed out, that revenue would have to be replaced in some way.

Now, Mr. Duraiswamy Aiyangar asked me—I do not know why he should think that I take no interest in the agriculturists of the country—he asked me one or two days ago whether I ever visited villages and he repeated to-day some question of the same sort. Now, I assure him that particularly in the first year that I was here, after the salt duty controversy had been particularly a big one, I took a great deal of trouble, wherever I got the opportunity, to try and find out what views, if any,

were held on the salt duty by people in the villages and by the poorer people in the towns; and I really took considerable trouble over it. It is not particularly easy for me, because I do not speak the vernaculars; I can understand Urdu to a certain extent, especially when spoken in this House, but I do not speak it; and I had therefore to work through an interpreter. But I really was quite impressed by the evidence that reached me. One after another people gave me the impression that they would far rather see money spent on sanitation, education, on general benefits to their villages or to their towns than have a small reduction, infinitesimal in amount, which would probably go to the middlemen, as many of them told me, in the salt duty. That is the point of view which is a really important one and is worth taking into consideration. Mr. Duraiswamy Aiyangar asked me whether I had no interest in sanitation and so on. It is exactly for that reason that I have always thought it is much more important to get provincial contributions reduced than even to reduce the salt tax; and I believe that, if Honourable Members would seriously study the subject with their constituents in the villages and put it to them that the alternatives are and must be between acceleration or slowing down of the growth of education, sanitation, of beneficial works of all kind and the reduction of the salt tax, they will find that the old cry for the reduction of the salt tax will lose such vigour as it still retains outside the House.

Mr. C. Duraiswamy Aiyangar: But do they not want both?

The Honourable Sir Basil Blackett: Nobody wants to pay a tax; but people are always willing to pay a tax if they can see the benefit that comes from it. That is one of the important advantages of local taxation over central taxation. That is another subject. The Honourable Member, Mr. Duraiswamy Aiyangar, further said, I think, that this tax was an insult to India and he asked what other countries imposed the tax. France imposes it; Italy imposes it; Czecho-Slovakia and a very large number of countries impose salt tax; and the Honourable Member has studied his own previous speeches so thoroughly that I was surprised to find that he has never even cast a cursory glance at the speeches of other Members in reply to him. That is so far as the general position as regards the salt tax. I do put it to the House that we can do more benefit to the people than we are trying to help not by reduction of the salt duty but by increasing the money available for nation-building purposes.

I come now to Sir Purshotamdas' question—it is a question of importance—of making India self-sufficient. I am sorry there has been some delay about dealing with the report that I mentioned a year ago. As a matter of fact for some months a Resolution of the Government of India has been in type on the subject, but it has been held up by comparatively small but important details. I hope that very shortly this Resolution will be issued. The conclusion that the Government of India have come to after very careful consideration for the reasons that will be set out at length in the Resolution when it is published is that there is no *prima facie* case for submission to the Tariff Board as regards making India self-supporting in the matter of salt; that there is no probability that the conditions laid down by the Tariff Commission can be fulfilled. So far as Bengal in particular is concerned, it seems almost inevitable that imported salt will always be more suitable, and great loss would be incurred without sufficient advantage by an effort to prevent imported salt coming in there, by discrimination against imported salt. That is the general conclusion.

[Sir Basil Blackett.]

but there are other particular questions as to the possibility of usefully protecting or encouraging the industry in particular parts of the country which, as I said, are being examined and which have caused the delay in the issue of the general decision.

Sir Purshotamdas Thakurdas: May I ask the Honourable Member whether the officer's report will be published with the Government Resolution or not?

The Honourable Sir Basil Blackett: I am not really quite sure about it. This matter has passed out of my ken for so long that I am not clear what the position will be. I think, however, that the report is a departmental one. They will certainly consider whether it can be published if Sir Purshotamdas Thakurdas and the House attach importance to it.

Sir Purshotamdas Thakurdas: I am sure I am reflecting the views of this House when I say that it would very much like if the report was published unless there is something in it which necessitates its being kept secret.

The Honourable Sir Basil Blackett: The Government of India will note that fact. They have no desire to keep the report secret.

Sir, I have now actually concluded my remarks and have said all that I had to say and I see that you are anxious to put the question.

Mr. President: I am anxious to adjourn the House by 12 o'clock. The question is:

"That to clause 2 of the Bill the following be added at the end:

'and the said provisions shall in so far as they enable the Governor General in Council to reduce or remit any duty so imposed be construed as if with effect from the first day of April, 1928, they remitted the duty to the extent of the said one rupee and four annas and such remission shall be deemed to have been made out of the leviable duty by rule made under that section'."

(Mr. N. M. Joshi rose to speak.)

Mr. President: Order, order.

Mr. Gaya Prasad Singh: Sir, there are some Members on this side of the House who wish to speak on this motion.

Mr. President: The Honourable Members might keep themselves in reserve for the one pice post-card.

The Honourable Sir Basil Blackett: Sir, I move that the question be now put.

The motion was adopted.

Mr. President: The question is:

"That to clause 2 of the Bill the following be added at the end:

'and the said provisions shall in so far as they enable the Governor General in Council to reduce or remit any duty so imposed be construed as if with effect from the first day of April 1928 they remitted the duty to the extent of the said one rupee and four annas and such remission shall be deemed to have been made out of the leviable duty by rule made under that section'."

The Assembly divided:

AYES—38.

Aiyangar, Mr. C. Duraiswamy.
Aney, Mr. M. S.
Ayyangar, Mr. M. S. Sessa.
Bhargava, Pandit Thakur Das.
Chaman Lall, Diwan.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit N. lakantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Goswami, Mr. T. C.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Jogiah, Mr. Varahagiri Venkata.
Joshi, Mr. N. M.
Kartar Singh, Sardar.
Kidwai, Mr. Rafi Ahmad.
Kunzru, Pandit Hirday Nath.
Lajpat Rai, Lala.

Mehta, Mr. Jamnadas M.
Misra, Mr. Dwarka Prasad.
Mitra, Mr. Satyendra Chandra.
Mukhtar Singh, Mr.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Phookun, Srijut Tarun Ram.
Rang Behari Lal, Lala.
Sarfaraz Hussain Khan, Khan
Bahadur.
Shervani, Mr. T. A. K.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. R. P.
Sinha, Mr. Siddheswar.
Tok Kyi, U.
Yusuf Imam, Mr.

NOES—57.

Abdul Aziz, Khan Bahadur Mian.
Abdul Haye, Mr.
Abdul Qaiyum, Nawab Sir Sahibzada.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Ahmad, Khan Bahadur Nasir-ud-din.
Alexander, Mr. William.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Sayid.
Ayyangar, Mr. V. K. Aravamudha
Bajpai, Mr. G. S.
Bhuto, Mr. W. W. Illahibakhsh.
Blackett, The Honourable Sir Basil.
Bray, Sir Denys.
Chatterjee, The Revd. J. C.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Cocke, Mr. H. G.
Cosgrave, Mr. W. A.
Couper, Mr. T.
Courtenay, Mr. R. H.
Crawford, Colonel J. D.
Crerar, The Honourable Mr. J.
Dakhan, Mr. W. M. P. Ghulam Kadir
Khan.
Ghazantar Ali Khan. Raja.
Ghuznavi, Mr. A. H.
Gidnev, Lieut.-Colonel H. A. J.
Graham, Mr. L.

Irwin, Mr. C. J.
Jowahir Singh, Sardar Bahadur
Sardar.
Kabal Singh Bahadur, Captain.
Keane, Mr. M.
Kikabhai Premchand, Mr.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Roy, Mr. K. C.
Roy, Mr. S. N.
Sams, Mr. H. A.
Sassoon, Sir Victor.
Shah Nawaz, Mian Mohammad.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Singh, Raja Raghunandan Prasad.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Taylor, Mr. E. Gavan.
Willson, Sir Walter.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. N. M. Joshi: May I ask whether the closure was applied to the first amendment or to the other amendments as well?

Mr. President: It was applied to the main question.

Mr. N. M. Joshi: The Honourable the Leader

Mr. President: Order, order.

The question is:

"That in clause 2, for the words 'one-rupee and four annas' the words 'eight annas' be substituted."

The Assembly divided:

AYES—37.

Abdoola Haroon, Haji.
Aiyangar, Mr. C. Duraiswamy.
Aney, Mr. M. S.
Ayyangar, Mr. M. S. Sesha.
Bhargava, Pandit Thakur Das.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit N. lakantha
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Goswami, Mr. T. C.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Iyengar, Mr. S. Sinivasa.
Jogiah, Mr. Varahagiri Venkata.
Joshi, Mr. N. M.
Kartar Singh, Sardar.
Kidwai, Mr. Rafi Ahmad.
Lajpat Rai, Lala.

Mehta, Mr. Jamnadas M.
Misra, Mr. Dwarka Prasad.
Mitra, Mr. Satyendra Chandra.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Phookun, Sriput Tarun Ram.
Rang Behari Lal, Lala.
Sarfaraz Hussain Khan, Khan
Bahadur.
Shervani, Mr. T. A. K.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Siddheswar.
Tok Kyi, U.
Yusuf Imam, Mr.

NOES—55.

Abdul Aziz, Khan Bahadur Mian.
Abdul Haye, Mr.
Abdul Qayyum, Nawab Sir Sahibzada.
Ahmad, Khan Bahadur Nasir-ud-din.
Alexander, Mr. William.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Sayid.
Ayyangar, Mr. V. K. Aravamudha.
Bajpai, Mr. G. S.
Bhuto, Mr. W. W. Illahibakhsh.
Blackett, The Honourable Sir Basil.
Bray, Sir Denys.
Chatterjee, The Revd. J. C.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Cocke, Mr. H. G.
Cosgrave, Mr. W. A.
Cruiper, Mr. T.
Courtenay, Mr. R. H.
Crawford, Colonel J. D.
Cramer, The Honourable Mr. J.
Dakhan, Mr. W. M. P. Ghulam Kadir
Khan.
Ghazanfar Ali Khan, Raja
Ghaznavi, Mr. A. H.
Graham, Mr. L.
Irwin, Mr. C. J.

Jawahir Singh, Sardar Bahadur
Sardar.
Kabul Singh Bahadur, Captain.
Keane, Mr. M.
Kikabhai Premchand, Mr.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Roy, Mr. K. C.
Roy, Mr. S. N.
Sams, Mr. H. A.
Sassoon, Sir Victor.
Shah Nawaz, Mian Mohammad
Shamaldhari Lall, Mr.
Shillid, Mr. J. A.
Singh, Raja Raghunandan Prasad.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Tavlor, Mr. E. Gawan
Willson, Sir Walter.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad
Young, Mr. G. M.

The motion was negatived.

Mr. President: There is no question of any further amendment now.

"That in clause 2 of the Bill, for the words 'one rupee and four annas' the words 'one rupee' be substituted."

AYES—40.

Misra, Mr. Dwarka Prasad.
Mitra, Mr. Satyendra Chandra.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Phookun, Srijut Tarun Ram.
Rang Behari Lal, Lala.
Rao, Mr. G. Sarvatham.
Sarlaraz Hussain Khan, Khan
Bahadur.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. R. P.
Sinha, Mr. Siddheswar.
Tok Kyi, U.
Yusuf Imam, Mr.

Abdul Aziz, Khan Bahadur Mian.
Ahmad, Khan Bahadur Nasir-ud-din.
Alexander, Mr. William.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Savid.

Kabul Singh Bahadur, Captain.
Keane, Mr. M.
Kikabhai Premchand, Mr.
Lamb, Mr. W. S.
Lindsay, S r Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.

Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Roy, Mr. K. C.
Roy, Mr. S. N.
Sams, Mr. H. A.
Sassoon, Sir Victor.
Shah Nawaz, Mian Mohammad.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Singh, Raja Raghunandan Prasad.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Tavlor, Mr. E. Gawan.
Willson, Sir Walter.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr Muhammad.
Young, Mr. G. M.

The motion was negatived.

Mr. President: I notice some sort of feeling amongst some Honourable Members that they have been unnecessarily gagged, and I therefore do not now propose to put the question that clause 2 do stand part of the Bill. I will put it after Lunch, when the Honourable Members will have the fullest opportunity to talk as much as they like on it.

The Assembly then adjourned for Lunch till Twenty Minutes Past Two of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President in the Chair.

Mr. President: The question is :

“That clause 2 do stand part of the Bill.”

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I do not wish to make a long speech. I realise that you have been listening to our speeches for a little more than a month. I also realise, Sir, that the Honourable the Leader of the House has been hearing our voices for a very long time and during the last few days he was never allowed to leave his seat. Although I value it as a great privilege that he should listen to our speeches, Sir, realising the weariness, I shall not mind the Honourable the Leader of the House giving his now famous shrug to the shoulder and enjoying his pipe of peace in the lobby.

Sir, my objection to the salt tax is based on principle. I consider that the salt tax is a tax which falls upon the people without any relation to their ability to pay it. It falls upon every one, whatever may be his income, whether he is able to pay a tax or not, it falls upon even those people whose income may not be even Rs. 50 a year, and I feel, Sir, that there is absolutely no justification why those people, whose income is not sufficient even for their maintenance, should be taxed at all. I fully realise that the machinery of the State must be continued for the protection of the property of those people who have property, for the protection of those people who make large incomes. But, Sir, those people on whom the salt tax mainly falls do not possess much property, nor are their incomes very large. I therefore feel that there is absolutely no justification why such people should be taxed at all.

Well, Sir, much was made of the deficit that may be caused in the Budget if the salt tax were abolished. I do not think, Sir, that there will be much deficit even if the salt tax is abolished altogether. There are various heads on which expenditure is incurred when it is not necessary to do so; especially there are certain heads in our Budget which can certainly wait. For instance, there is a very large sum of money for what is called the redemption of debt. There are five crores under that head. I do not know, Sir, why, when we have such bad taxes on our Statute-book, we should be in a hurry to pay what is called the unproductive debt. In my judgment such a large amount is not unproductive debt. If the Government of India will find out the value of the property which they possess, they will find that our unproductive debt is not more than the property which we possess. Unfortunately, the Government of India

have not yet made any valuation of the property which we possess and if we possess large property, perhaps larger than the amount of the unproductive debt which we are using, I do not think, Sir, that even the debt which we call unproductive is really unproductive at all. I therefore feel that we need not be frightened by the thought that if the salt tax is reduced or even abolished there will be a deficit in our Budget.

Sir, my Honourable friend Mr. Yamin Khan gave certain of his experiences about the effect of the reduction of the salt tax. He said the reduction is very small in the first place and will not be felt by the poor people. Leaving aside my objection to this tax on principle, I feel, Sir, that the reduction which he considers to be small, is not small if we take into consideration the annual income of the people upon whom this tax mainly falls. The 3 or 4 annas which a man may spare if there is no salt tax may be a big sum to him whose income is Rs. 30 a year. I am sure this may be a small sum to my friend, Mr. Yamin Khan.

Then, Sir, the salt tax is not the only tax which the poor people in this country have to pay. We have still many taxes which almost every one has to pay such as the tax on kerosene, the tax on matches, the tax on sugar, and there are several other taxes which the poor people cannot escape and which generally fall upon the commonest people in this country, and their burden when taken together will certainly not be very light, although I again say it may be insignificant to my friend Mr. Yamin Khan. Sir, all these taxes are a very great burden upon the common people in this country. Even the Taxation Inquiry Committee's Report has made it clear that such taxes must be reduced and they are in India in a larger proportion than in England and other countries.

Then, Sir, my friend Mr. Yamin Khan said that the benefit of the reduction or even of the abolition may go to the middleman. I do not understand why this should happen. If the reduction of any other tax goes to the people on whom the incidence of the tax falls, certainly the reduction of the salt tax must ultimately benefit all the people upon whom the incidence falls. He gave his experience as a member of a District Board or perhaps as the Chairman of a District Board. (*An Honourable Member*: "Of a municipality.") I do not know, Sir, whether the municipality of which he is the Chairman or a member has ever opened any shops for selling salt, and if he really objects to the middleman making profits, I may suggest to my friend that, as the Chairman of that municipal body, he should undertake the work of opening shops for selling salt. There are many municipalities now which make it their business in order to avoid profiteering to open shops and sell the necessities of life to the people living within that municipality. I therefore think, Sir, that my friend Mr. Yamin Khan, instead of opposing this amendment for fear that the middleman may be profited, should start his own shops which will not make any profits and thus help the poor people to get the benefit of the reduction of this tax.

Sir, the Honourable the Finance Member told us that he considered the report of the officer for the protection of salt and he has come to the conclusion that there is not a good case for sending that question to the Tariff Board. I feel, Sir, that if the Government of India feel some solicitude for the people of this country who have to pay all these taxes, they should not mind spending a little money even if the sending of the case

[Mr. N. M. Joshi.]

to the Tariff Board costs them some little money. The Government of India may be very wise but they need not think that all wisdom is centred in them. There may be some possibility of their being wrong, and if there is some possibility of their being wrong I think, Sir, they should not mind spending a little money for sending this question to the Tariff Board. Let this country produce salt as much as it can, and let salt be as cheap as it can be, so that the people in this country will have enough of that article. I hope, Sir, that this House will see that at an early date this tax, which is objectionable in principle as well as in its effect, is soon abolished.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, I wanted to speak just a word with reference to some remarks which fell from my Honourable friend Mr. Yamin Khan. I was not at all surprised that my friend should have rushed to the rescue of the Government in this matter. That is a familiar rôle with him. But this time his zeal outran his discretion. He said that poor people in the villages did not purchase salt by weight. This is a statement which has taken my breath away. I have also mixed with poor people in the villages, and I can say as the result of my experience that the poor people there generally are very careful in taking their salt or other necessities of life by weight. Another statement of his that the middlemen will profit is also not justified by the actualities of the case. It may only be partially true. In our last election, Sir, we had to do some touring in the country; and we found what effect the doubling of the salt tax in the first Legislative Assembly had; and what relief was given to the poor people as a result of the action which we took in the second Assembly. I know my friend has no constituency of his own; and probably that is the reason why his experiences are somewhat different from the experiences of those of us who are elected Members of the House. The salt tax, I maintain, is an income-tax on all incomes down to the lowest. The poorer a man is the heavier is its incidence. In India the salt duty question is essentially a poor man's question, for it is the poorer many and not the richer few, who eat more salt when it is cheap and less when it is dear. Moreover, the salt duty gives Government a valuable financial reserve which may be tapped in times of sudden emergency. India, Sir, is admittedly a very poor country. Its deep and deepening poverty is well known in spite of the official window-dressing for outside gaze. Sir Evelyn Baring, speaking as Finance Member of India in 1882, calculated the average income per head of the population in India at Rs. 27 per year. Mr. Dadabhoy Naoroji puts it at Rs. 20 only. I will just give the opinion of Sir Robert Watson Smyth, who was formerly President of the Bengal Chamber of Commerce, and his opinion ought to carry some weight with my friends of the European group. He referred, Sir, to the ryot:

"whose poverty was such that there is no margin between the actual necessities of life and the money which he earns;"

and added:

"The whole population of India, whether agricultural, commercial, industrial or professional, are crushed by the burden of taxation, and are crying out for relief in the form of lower prices and a reduced cost of living."

I may say, Sir, that this question of salt tax was an article of political faith with the Indian National Congress, and some of our best men have advocated the abolition, or at least a substantial reduction, of the salt tax. I do

not want to tax the patience of the House at the fag end of the day. I will merely conclude by giving one quotation from a gentleman whose authority will be unimpeachable, and who is generally regarded as a pillar of the bureaucracy in this country, I mean Sir Dinshaw Edulji Wacha. This is his opinion:

"All through the history of the salt tax it has been said that it is a poll tax and that it falls heavily on the poor. My personal opinion is that it should have no place in our fiscal system, for it is a tax on a necessary of life."

I do not want to labour this point beyond saying that the salt tax in fact is a tax which ought not to find a place in our fiscal system. But if it cannot be abolished entirely, it is time enough that it should be reduced substantially. The poor people of this country feel it very heavily. The people who do not feel the weight of the salt tax are some of the officials and their henchmen on the other side, whose nerves have been shattered by eating immoderately the taxed salt of India.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural). I thank you, Sir, for giving me an opportunity of expressing my opinion on this subject. I am sorry Mr. Yamin Khan is not here. He happens to belong to the same town from which I come. But unfortunately I happen to belong to a village while he belongs to the town. That seems to be the difference. He has complained that we are told the same old story every day, the same arguments are repeated every year, and that every year the same question is raised. I would submit that my friend has not been able to grasp the arguments that are advanced by this side, and therefore he will have to hear the same arguments again and again till he has grasped them. That is why, Sir, we are being forced to repeat those very arguments. But I would submit, Sir, that he has spoken as a member for 14 years of a Municipal Board. But unfortunately, he was also a member at the time when the Municipal Board had a sort of monopoly during the war days to purchase the entire quantity of salt and to auction contracts for the sale of salt to their favourites. That is why my friend might have entertained an idea that it is the middleman that makes the profit out of the sale of salt. I can speak at least of the farmer and the agriculturist. He has to use a large amount of salt not only for his own eating but for the purpose of cattle, and therefore he has to buy large quantities rather than buy in retail. I submit therefore that the general population will be benefited by the reduction of the salt tax. I would like to quote the consumption of salt in the different countries of the world, not as it is stated by the agitator, but as it is stated by the Indian Taxation Enquiry Committee on page 135 of their Report. They say that England consumes per head 40 lbs., Portugal 35 lbs., Italy 20 lbs., France 18 lbs., Russia 18 lbs., Belgium 16½ lbs., Austria 16 lbs., Persia 14 lbs., Spain 12 lbs., and British India 12 lbs. I have calculated figures and I find that the amount of salt consumed per head in India comes to a little above 10 lbs. Perhaps the figures taken by the Taxation Enquiry Committee in 1924-25 might have been correct in those days, but now the consumption is a little more than 10 lbs. That shows how far the consumption has gone down. If we deduct out of the amount of salt consumed by the people of this country and the amount of salt given to the cattle, which are not less than 17,58,00,000 in this country, then the percentage of salt per head will come down to something less than 6 lbs. May I ask, is that a sufficient

[Mr. Mukhtar Singh.]

amount of salt that the people of this country should take? It is said that after all it is only a question of three annas per head. But may I tell the House that a gentleman who had been the Director of Agriculture of Bombay for at least 15 years, I mean Dr. Mann, while retiring, said that more than 66 per cent. of the people of the Bombay Presidency do not get two full meals. It is the verdict of a Director of Agriculture and he has advised the social reformers of this country that the first thing they ought to do is to provide the agriculturist with a full meal a day. It means that the people of this country are very, very poor, not only in the eyes of the people who sit on this side of the House, but also in the eyes of those who happen to go to the villages and study the main occupation of the country. This shows how deplorable the condition of this country is, and therefore the question of three annas is not a small amount that we should ignore.

There is another point on account of which I contend that there should be no tax on salt, or if there be one, it should be a very small one. I would not have spoken on this subject if the Honourable the Finance Member had not told us that the report made by the officer in charge was that it is not necessary to refer the matter to the Tariff Board at all. I would give certain figures to the House in order to give an idea as to the quantity of salt imported into this country. In 1921-22, the quantity of salt imported into this country was 4,72,427 tons. In the next year, the amount imported was 5,42,133. I have taken the average for the six years from 1921-26, and I find that the average is 5,84,500 tons. If you turn this figure into maunds, it will come to 1,44,31,500 maunds. We are importing salt in this country at the rate of about a crore and half maunds every year and this amount comes to about 30 per cent. of the entire salt consumed in this country. This shows that a country which abounds not only in saltish water but also in salt mines and a salt range is importing such a large quantity of salt. Perhaps we might be told that the salt that is imported into this country is of a superior quality than the salt produced in this country. May I enquire why the experts in the Central Government have not been able to manufacture salt of the same quality as the imported salt? Is it impossible for us to manufacture salt of this nature? Were we then not manufacturing ordinary salt in this country without this scientific knowledge? If the quality has not improved, where is the necessity for importing experts and giving them fat salaries? Government at least ought to have taken it upon themselves to see that salt of the nature of the imported salt is manufactured in this country. We are discussing a commodity which is practically the monopoly of the Central Government and if we find that in the case of a manufactured article, which is the sole monopoly of this Government we cannot compete with the imported salt, I consider it is very disgraceful. I go further and say that if there had been no duty on salt, we would have been able to send our salt outside and we would have made lots of money out of the export of this commodity. If we add to the import of salt the value of the other chemicals. I mean the compounds of sodium, we will find that another crore and perhaps more than a crore worth of sodium compounds, are imported into this country. This shows clearly that we have not cared to compete with the imported articles. I know that out of the total amount of sodium compound imported into this country 43 per cent. comes from the United

Kingdom; but that should not have deterred us from manufacturing these chemicals in this country. We have seen that Dr. Paranjpye in the Taxation Inquiry Committee declared that he would like to see the rate reduced to about 8 annas in normal times, as the figures given above show that the consumption increased with the decrease in the duty. That is the opinion of one who sat on the Taxation Inquiry Committee, that 8 annas should be the duty in normal times. But still we have not made any provision for the reduction of the duty on salt. Unfortunately in this country the general principle of taxation is that luxuries should not be taxed, but the poor man's food must be taxed. Motor cars, for instances, are not to be taxed. Last year, Sir, I pointed out that motor cars are articles of luxury and the people who use cars can afford to pay higher duties for them. If there must be a reduction of duty on motor cars why should there be no reduction on this necessity of life?

One word more, Sir, and I have done. In India a man who wants to manufacture salt or anything out of salt has to pay the same duty on domestic salt as on imported salt. According to the Tariff Schedule the import duty on salt is the rate at which excise duty is for the time being leviable on salt manufactured in the place where the import takes place. That is, the manufacturer in India has to pay the same duty as the person who sends the same article into this country. If we were to bear another factor in mind, the anomaly would be quite clear. Salt imported into this country is generally sold at more than Rs. 3-8-0 a maund while salt manufactured in this country is sold at a much less price than Rs. 3 a maund. The result is that the salt imported from foreign countries, which is of higher value, has to pay the same duty as the salt manufactured in this country. Taking the value of both these commodities into consideration, the imported salt has to pay a lesser duty than the salt manufactured in this country. Is that not a very inconsistent proposition? If salt manufactured in the country fetched the same price as imported salt there might be a reason for charging the same excise duty; but as things are, the position is very unjust. The matter ought to have been referred to the Tariff Board, not only for inquiry into this point, but also for the purpose of seeing in what way the rules should be amended so that the manufacturers and the farmers may be able to make proper use of this article. We have simply recognized by rules the curing of fish by salt, but salt is used in a good many other ways in this country by the agriculturist, and therefore it was but necessary that the Tariff Board ought to have gone into this matter and it should not have been thrown out on the simple ground that it does not satisfy the conditions laid down by the Fiscal Commission. I would submit, Sir, that the conditions laid down by the Fiscal Commission do not and cannot apply to this case, because it is a Government monopoly altogether and therefore the case of an ordinary manufacturer cannot be applied to this. But at any rate we find that the manufacturer of articles which are made out of salt is at a disadvantage in this country and that disadvantage ought to go. Therefore, I would submit that the clause as it stands should not be passed.

Several Honourable Members: I move that the question be now put

Mr. President: Mr. Neogy.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, one observation which the Honourable the Finance Member made, induces me to rise to say just a few words. The Honourable Member said that

[Mr. K. C. Neogy.]

imported salt is more suitable for Bengal. This may have two meanings. One is that so far as quality goes, Bengal has a preference for the imported salt, and the second meaning may be that it is not possible for Indian manufactured salt to be available in Bengal at a reasonable price. I believe my Honourable friend had both these meanings in mind when he said that imported salt is more suitable for Bengal. So far as the question of quality goes, the question of taste I should say, this taste has been determined by the fact that the indigenous manufacture of salt in Bengal has been altogether killed by the gradual process of importation of foreign salt at a convenient price. Bengal did not depend upon foreign sources for all time for her salt supply. If the Finance Member were to look into the Report of the Indian Taxation Enquiry Committee, he would find mention of the very many disabilities to which the Indian manufacturer of salt is at present subject. So far as the Bengal market is concerned, it is a question of freight more or less, because the Northern India and the Bombay salt sources are too far away to be able to send salt at an economic rate to Bengal by rail. For all practical purposes, therefore, Madras is the only possible source of supply to which Bengal can look; and so far as Madras is concerned, it is on record that the manufacturers in Madras asked for certain facilities as early as 1904 so as to be able to send salt on convenient terms to Bengal. They asked for certain facilities with regard to the institution of bonded warehouses for salt sent by rail. If the Honourable the Finance Member looks into the Salt Committee's Report of 1904, he will find that this request of the Madras manufacturers was unceremoniously turned down. This aspect of the question has also been referred to by the Indian Taxation Enquiry Committee in paragraph 176 of their Report. Now here comes in a question that ought to interest my Honourable friend, Sir George Rainy, because when we send our coal from Bengal side to Madras it goes there in full wagon loads. When the wagons come back, I am told they do not carry full loads on their return journey. My Honourable friend has readjusted certain items of railway rate this year. I would therefore request my Honourable friend, the Member for Railways, to carefully examine the ton mileage and the load carried by the coal wagons when they come back home from the Madras side. If

3 P. M. he finds that there is a case for quoting special rates for salt, after investigation into this point, I am sure my Honourable friend Sir George Rainy will do the needful by the time we come to the next railway budget. Then again, Sir, with regard to the question of the bonded warehouse system, I find that the whole system has been so designed as to suit only sea-borne salt. That is a fact which is admitted by the Indian Taxation Committee's Report. That is also a fact to which reference has been made in the Salt Committee's Report of 1904. It may be that the whole system was deliberately designed to benefit imported salt at the expense of the indigenous salt, so far at least as the Bengal market is concerned. It is not therefore open to my Honourable friend now to get up and say that imported salt is more suitable for Bengal. It is the Government policy that has made it so, and it is up to the Government now to remedy this matter. Now, Sir, the Salt Committee of 1904 said:

"It is unnecessary for Government deliberately to introduce the bonded system as an innovation into the ordinary conditions of the rail-borne traffic in salt. Its advantages do not seem to us to be commensurate with the disadvantages which it involves."

When I further looked into the Report I found that the advantages mentioned by the Salt Committee were all to the trade and to the consumer, and the disadvantages which they were thinking of were to Government; and the disadvantages consisted in a slight loss of duty payable upon quantities which would have to be written off as wastage if this bonded system was brought into being; and then again the Government would have to institute some sort of a supervision over the stock from the original source of supply up till the time when the salt next changed hands on its way to the consumer. So, it is all a question of surrendering just a little of the revenues of Government and putting up with just a little administrative inconvenience, factors which are, I take it, present also in the case of bonded warehouses which are exclusively for the benefit of the sea-borne salt. I therefore submit, Sir, that the Honourable the Finance Member as also the Honourable the Commerce Member should carefully go into this question and see whether some relief could not be given in this direction.

(Some Honourable Members moved that the question be put.)

Mr. B. Das (Orissa Division: Non-Muhammadian): Sir, I was painfully surprised to learn from the Finance Member that no *prima facie* case for submission to the Tariff Board as regards making India self-supporting in the matter of salt had been made out. Sir, last year when my Honourable friend Mr. Duraiswamy Aiyangar brought forward a similar cut in the salt tax the Honourable the Finance Member said that an official was inquiring into the question and as he (the Finance Member) would be in India another year more, he assured us of his sympathy about the reduction of the salt tax and that he would be able to tell us something definite about it this year. But this year he has entirely disappointed us in spite of his professed sympathy. What does the Taxation Enquiry Committee recommend? It says that the Government manufacture about 35 per cent. of the salt requirements of India and the Indian companies manufacture another 35 per cent.; in all they manufacture 70 per cent. of the salt requirements of India and only 30 per cent. of this salt is imported from outside. Therefore, salt has a clear case for protection. The Government had been pleased in the past to refer to the Tariff Board the proposals of an inquiry for the protection of an industry which supplies the requirements of India to the extent of 5 per cent. Take, for instance, the match industry of India. The present manufacture of matches is not more than 5 per cent. in India. The same is the case with the paper industry to which we granted protection last year. Even the steel industry does not supply more than 25 per cent. of the requirements of India; still the people demanded protection for that industry and Government asked the Tariff Board to inquire whether that industry should be protected or not. Sir, I do not understand why in the present case the Honourable the Finance Member is believing too much in the special officer who had been deputed to inquire into the case of salt manufacture and does not wish to refer the matter to an independent body like the Tariff Board,—who are believed to be an expert body—to inquire into the policy of protection and taxation in the matter of salt. My Honourable friend Mr. Neogy has just referred to what the Taxation Enquiry Committee said in regard to this matter and I would like to quote the following from the same Report. This is what they say on page 146:

“There are three defects in the protection of the salt industry:

(a) the long land journey from the monopoly source of the north;

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(b) the handicaps on transport from Bombay and Madras; and

(c) the fact that the quality of salt which is consumed in Bombay and Madras is not acceptable to Bengal and Burma.

To remedy these defects the Committee are of opinion that an inquiry should be made as to the extent to which the handicaps on the Indian manufacturer can be removed by removing the limitation on the tonnage of the vessel and by modifying and making uniform in both provinces the regulations regarding transport in bond and the charge of duty for losses on the voyage, *by examining the possibility of giving lower rates of railway freight for salt loaded in returning coal wagons and by opening inland bonded warehouses for salt imported by rail.*"

My Honourable friend Mr. Neogy just referred to it, but I have thought fit to quote the whole passage. It shows clearly, Sir, that when an industry meets the requirements of the country to the extent of 70 per cent., it is an industry that ought to be specifically investigated by the Tariff Board in order to find out whether a system of protection can be introduced in India by which the excise duty on salt can be abolished and a protective duty on imported salt can be levied.

Sir, there was one particular passage in the Honourable the Finance Member's speech which, coming as I do from Orissa, rather pleased me to a certain extent. It ran as follows:

"There are other particular questions as to the possibility of usefully protecting or encouraging the industry in other parts of the country which, as I said, are being examined and so on."

Well, Sir, I had hoped that the Government would ask the Tariff Board to inquire into the case of protection of the salt industry in order to make India self-supporting. Pending that inquiry, I do feel that something should be done for the salt industry on the Orissa coast. If the protection for the encouragement of Orissa industries is extended and the Local Government is authorised to abolish the salt duty so that people can manufacture salt which is the main source of livelihood in that part of these barren territories where there is no other means of livelihood, it will help the people of Orissa very much. I feel that this bit of good news which the Honourable the Finance Member gave was due to the agitation that I and my friends from Bihar and Orissa have constantly been making on behalf of the people of Orissa. And if the Honourable Member again speaks on the subject I would like to know a little more in detail.

The Honourable Sir Basil Blackett: Sir, I do not propose to detain the House long on this subject. There were one or two points which were raised, with which I desire to deal.

There was one thing in Mr. Joshi's speech which I should like first of all to mention. He spoke of a famous shrug of my shoulders. This morning I was accused of shaking my head in a significant manner, when I was only shaking off a fly. Until I read the papers I was unaware of the fact that I had been shrugging my shoulders, and I propose to take a lesson from that paper how to do it.

Mr. Joshi's speech was mainly concerned with the question of the abolition of all taxes on those who are at or near the margin of existence. I am afraid I cannot agree with the fiscal policy which Mr. Joshi's principles would lead to. That you do not want to impose heavy taxation on those who are on the margin of subsistence is undoubtedly perfectly sound,

but there are many other arguments for the salt tax which I think, as in the circumstances of France, Italy, etc., justify its retention in India at a moderate rate. People have spoken glibly of this being a very heavy tax, but it is at a very moderate rate. If you take the present index number of the cost of living, the present rate of Re. 1-4-0 is considerably below Re. 1 at which it stood in earlier times.

Mr. Mukhtar Singh seemed to think that the difficulty about the imposition of differential duty on imported salt as against indigenous salt was that Government do not believe that salt of a proper quality could be produced locally. I have no doubt that it would be possible at a cost to produce absolutely first class salt in India. The difficulty is a question of geography.

Mr. Neogy, who made a very moderate and carefully thought out speech this morning, was a few days ago eloquent on the injustice done to Bengal. Our difficulty is really this, that if you were to impose a differential duty on imported salt, as compared with indigenous salt, even if you were to abolish the duty in India and impose a duty on imported salt, you would be imposing differential taxation against the consumer and particularly the Bengal consumer. That is due to the geography of the situation.

I have to apologise to the House that the Government's decision on the question of referring this subject to the Tariff Board was not announced at an earlier date. The decision was taken some time ago, but there were very tricky details which have held the matter up. But I hope when Honourable Members see the Resolution which will issue on the subject, they will realise that the Government of India, Sir George Rainy's Department and the Finance Department, have considered this question with every sympathy, with every desire to see whether it was not possible to introduce a differential duty. The Taxation Enquiry Committee recommended that if a *prima facie* case was made out, it should be referred to the Tariff Board. The reason why it has not been referred to the Tariff Board is that a *prima facie* case cannot be made out. I hope Honourable Members will study the Resolution when it comes out and will realise that the difficulties are very great. I am afraid I cannot encourage Mr. Das in his hope that the part of the country which he refers to is likely to come in for differential treatment. I am afraid that the special cases that I was thinking of do not include the locality which he had in mind. We are now discussing the question that clause 2 stand part of the Bill; and before the House votes on it I want to put a point to them in the hope that they will refrain from a division on this subject. We have already decided that the salt tax shall not be reduced from Re. 1-4-0 to one rupee or to eight annas. If the clause is now rejected, the obvious course for the Government, and indeed the obvious reading of the decision of the House, must be that it does not desire to legislate annually on the subject but desires to leave it to the Government to use the powers which the Government possesses without coming to this House to fix the rates. So the omission of the clause would not in any way affect the powers of the Government to fix the salt tax, and I do not want that the House, after the convention has been in existence for many years that the House should year by year fix the rate of salt duty, should by its own motion without really considering what it is doing, throw the Government back on powers which are not taken annually. I would, therefore, ask the House to realise that the Government have been fully and sympathetically considering this question of a differential

[Sir Basil Blackett.]

duty on imported salt, and that so far as this year's finances are concerned, we cannot do without salt tax at the present rate, and that if the House were now to reject this clause, they would not be furthering the cause of the reduction of the salt duty. In these circumstances I trust the House will now allow the clause to go through and will allow us to pass on to the next subject.

Mr. President: The question is:

"That clause 2 do stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Mr. President: The question is:

"That clause 5 do stand part of the Bill."

Sir Victor Sassoon.

The Honourable Sir Basil Blackett: On a point of order, Sir. If Sir Victor Sassoon rises, as I believe, to move the amendment that stands in his name, I would submit to you that his amendment is not in order. This amendment says:

"Provided that no company shall be required to pay super-tax on revenues received as dividends from another company if super-tax has already been paid by the latter company."

Now, section 55 of the Indian Income-tax Act reads as follows:

"In addition to the income-tax charged for any year, there shall be charged, levied and paid for that year in respect of the total income of the previous year of any individual, unregistered firm, Hindu undivided family or company, an additional duty of income-tax (in this Act referred to as super-tax) at the rate or rates laid down for that year by Act of the Indian Legislature:

Provided that, where the profits and gains of an unregistered firm have been assessed to super-tax, super-tax shall not be payable by an individual having a share in the firm in respect of the amount of such profits and gains which is proportionate to his share."

The amendment that Sir Victor Sassoon is proposing to move should, I submit, be an additional proviso to section 55 of the Act and is not in order as an amendment to a Bill which simply fixes rates of income-tax.

Sir Victor Sassoon (Bombay Millowners' Association: Indian Commerce): On that point of order, Sir,—I have not got a copy of the Act with me—but I understand that the Honourable the Finance Member mentioned firms: This refers only to companies and to companies which come under the Schedule of Part II.

The Honourable Sir Basil Blackett: My point is, Sir, that the clause fixes super-tax for firms, companies, etc., and makes a special proviso in regard to firms; it makes no special proviso in regard to companies; and if it is desired to introduce a special proviso in regard to companies it should be introduced as a proviso to the Indian Income-tax Act and not on the Finance Bill.

Mr. President: Has the Honourable Member (Sir Victor Sassoon) anything to say on the point of order?

Sir Victor Sassoon: I disagree with the Honourable Member. (Laughter.) It seems to me that as company is mentioned here—it is a case of a company being taxed one anna in the rupee—we are entitled to add a proviso if we should so wish and that there is no objection to the Honourable the Finance Member resisting my amendment to the proviso, in which case I shall take it that the House, if it votes against it, will agree with him and not with me.

Mr. President: The question raised by the Honourable the Leader of the House is a very important and a very difficult one too. According to the strict interpretation of the Preamble to the Bill which we are now considering, perhaps I would be inclined to agree with him that the amendment is out of order, but I am disposed to put a wider construction on the scope of the annual Finance Bill as distinguished from ordinary Bills. Further, if the Assembly has under the Finance Bill power to fix rates of income-tax, it has equally I believe the power to say which incomes shall be exempted from that tax. I therefore rule that in this particular case the amendment is in order.

The Honourable Sir Basil Blackett: Sir, I do not wish to dispute your ruling on this particular case, but may I ask you not to put the ruling in a form that will mean that in future Finance Bills the whole of the Income-tax Act is up for consideration, because I am afraid that is one of the results of the ruling if widely interpreted?

Mr. President: I would ask Government to be more careful in future in framing Preambles to their Bills.

Mr. L. Graham (Secretary, Legislative Department): May I suggest, Sir, in regard to the Preamble, that it is drawn up with extreme care and I do not see that there is any possibility of misunderstanding. It is very narrow indeed, Sir.

Sir Victor Sassoon: I thank you, Sir, for your ruling, and I will proceed to read my amendment:

“That in clause 5, to sub-clause (2) the following proviso be added:

‘Provided that no company shall be required to pay super-tax on revenues received as dividends from another company if super-tax has already been paid by the latter company.’”

The House will probably have gathered from the point of order which has been raised that I am not trying to throw out the super-tax on companies entirely. My amendment is a very limited one. It does not deprive the Government of the revenue which it will receive from super-tax on companies. It merely lays down the very limited proviso that where a company receives dividends from another company which dividends have already paid the 10½ per cent. tax to the Government, that company should not be asked to pay another 10½ per cent. on the same dividend. The House will realise that we might have 3 or 4 companies each holding the shares of the other, and so when eventually paying the dividend to the shareholders there would be very little left of it. This particular part of the company's super-tax, if I have been informed correctly, brings in very little as far as British India is concerned, but it does. I understand, bring in some revenue as far as Burma is concerned, and I hope

[Sir Victor Sassoon.]

to be able to show this House that the loss in revenue which my amendment may entail is one that will more than come back in another form, if not in the first year, certainly later on. I propose, therefore, to explain to the House the type of company which, I think, should be encouraged in this country. I refer to the public trust companies which have been in existence for many years in Scotland, for instance, and which have been of enormous service not only to the small investor in Scotland and England but which have also been of service to the Government at Home.

The method of operation of these trust companies is something on the following lines. The trust deed lays down that a certain per cent. of the capital must be invested in trust securities, a certain per cent. must be invested in mortgages, bonds and preference shares, and only the balance may be invested in ordinary shares, that more speculative investment which brings in a larger revenue. It is also sometimes laid down that of the yearly profits a certain amount must be reinvested. The result of this scheme is that an investor who invests in one of these companies has got his investment spread over a large field. He is in the same position as the rich man who puts some of his money in Government paper, some in preference shares and only some in ordinary shares. Although his stake is a small one he has the same advantage that the rich man has. He has another advantage. He may at the beginning get no larger return for his capital than he would if he had invested it in Government securities, but from the operation of part of the yearly profits being reinvested, he will naturally be yearly getting a larger return. In fact, this company is really a saving machine and so this type of company is a very attractive form of investment to a man of careful habits who has not got the opportunity of studying the movements of investments on the Stock Exchange and does not know how to take advantage of them. I may inform the House that at the present time there have been an enormous number of these companies started in America. This type of investment is becoming very popular over there. And the House must not forget that sometimes these companies group themselves together—(I know of a case in which 22 companies have grouped themselves together)—to reinvest their yearly savings. What do they do? They underwrite big issues, the issue of a share or bond in which they would like to invest. They therefore get those shares or bonds not at the issue price but at the issue price less the underwriting commission. That is to say, the small shareholder in these conditions is in exactly the same position and gets the same advantage as the very large finance house which goes in for underwriting big issues. In this country this type of public trust company is entirely non-existent and the reason is, as I have said, because it is impossible to get the investor to put his money into a concern of this kind when he is told that the company, before it pays a dividend, will have to pay an extra 10½ per cent. on dividends it may receive from other companies.

I would like now to take up the point as to whether the Government would eventually lose if my amendment were passed. If these companies were encouraged, the Government would in the first place only lose revenue by that portion of the investment which is invested in shares of other companies, but it would get its full anna in the rupee tax on all the

investments in Government paper, in mortgages and in debentures, in other words, in all those investments which have not already paid their anna, and I maintain that the Government in this way would even at the outset get a revenue which would at any rate largely make up any loss which it might make in Burma at the outset. There is another advantage to Government. We have heard the Honourable the Finance Member pointing out that he is forced to issue sterling loans because he has not been able to find sufficient capital available in this country for his rupee needs. Here we have a potential source of capital, and as has been found by other countries, a very valuable potential source, because it should be remembered that of the amount which has to be reinvested you have still to re-invest 25 per cent. in trustee securities. It is that 25 per cent. which will be invested in Government securities and thus be a very valuable potential source for the Government to tap by the sale of bonds, and issue of loans. So, from both those points of view, I submit that not only would this amendment of mine benefit the investor of this country, but it might even bring out investors who for the present hoard their savings in bullion, and it will also be of advantage to the Government both from the revenue point of view and from the point of view of a ready market for their future issues. It may be said, who am I to put forward these schemes against the wisdom of the Treasury Bench. I can only say that, if India is so right in this example of her taxation, it is strange that no other country has imitated her. There have been cases where countries have had some form of company-tax, but in no case that I have come across has that tax had to be paid again simply because the shares of one company were held by another company. That being so, I think that I have the experience of the civilised world on my side, because surely, if it were to the advantage of a country to get extra revenue in this way, that source of revenue would not have been neglected by other countries, and as it has been neglected, I suggest that it is for very good reasons. I do ask the House to support me in removing an obstacle to the financial progress and the development of this country.

Sir, I move.

The Honourable Sir Basil Blackett: Sir, if anything was needed to convince me that the moving of such an amendment on the Finance Bill is extraordinarily undesirable, it would be the speech of the Honourable and gallant Baronet. I would point out to him that the Finance Act has a life of one year. There is, I believe, at present an important case in court which has some bearing on this particular provision. We should, if we introduced this amendment in the Finance Bill of 1928, make a change in the income-tax law for the year 1928-29, only for that year, and we should have the position that this provision does not apply to any of the existing cases and will not presumably apply to any cases after the year 1928-29 unless a similar provision is re-enacted in the following year. Nobody would know where they are. That is really a very important point from the point of view of the tax-payer. He cannot tell from year to year what is the law relating to income-tax if it is subject to be changed annually in the Finance Bill, and not changed for good, but for merely one year only. That surely is a point which should make the Honourable Member pause in pressing his amendment.

As to the financial effect of this amendment we have no very definite information. I am told that it will cost us something like Rs. 20 lakhs.

[Sir Basil Blackett.]

The Honourable Member argues that we should get that Rs. 20 lakhs back, but I do not think that it is any great consolation to a Government if it taxes some people less by Rs. 20 lakhs than it proposes to tax to-day, and some part of the Rs. 20 lakhs will be lent to it. The Honourable Member's argument is that it will come to Government as subscriptions to loans. One part of his argument is

Sir Victor Sassoon: I am sorry the Honourable Member has misunderstood me.

The Honourable Sir Basil Blackett: I have not misunderstood the Honourable Member. He has two arguments. One is that part of it will come back as tax and the other is that our loans will be more successful.

Sir Victor Sassoon: That is an extra advantage.

The Honourable Sir Basil Blackett: The extra advantage of borrowing money which we now get as tax is not one that greatly appeals to me.

Another very strong objection to this amendment is this. In an income-tax Bill which is now before a Select Committee we have been dealing with the problem of preventing evasion of tax by the creation of bogus holding companies. If anybody can imagine a better means of increasing that evasion than by introducing an amendment of this sort at this stage, I shall be very glad to have his suggestions. Obviously if you pass this amendment you are greatly increasing the danger of the creation of bogus holding companies. I do not propose to follow the Honourable Member's argument any further because I believe that it must appeal to the commonsense of this House that, whatever the arguments for and against this amendment, it is most undesirable that we should introduce it as an annual provision subject to change next year in the Finance Bill of this year.

Mr. President: The question is:

"That in clause 5, to sub-clause (2) the following proviso be added:

"Provided that no company shall be required to pay super-tax on revenues received as dividends from another company if super-tax has already been paid by the latter company."

The motion was negatived.

Mr. President: The question is:

"That clause 5 do stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Mr. President: The question is:

"That Schedule I do stand part of the Bill."

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan):
Sir, I move:

"That in Schedule I to the Bill, in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Postcards' the following be substituted:

'Single		...	..	Quarter of an anna
Reply	...	...	...	Half an anna'.

I know that Mr. Duraiswamy Aiyangar and others who preceded me in the order of their amendments have not chosen to submit to the House their own amendments very probably under the idea that they cannot carry through this amendment.

Mr. C. Duraiswamy Aiyangar: My Honourable friend is mistaken. We have given up the question of letters and the question of cards comes below.

Pandit Thakur Das Bhargava: I am not despairing whether my amendments are carried or not; once I have tabled them I should not fail to move them. I do believe that the rates of postage are too high for the people of India. The question arises whether this department is a department which should pay for itself. The Honourable Member in charge of the Postal Department said on the previous occasion that since the House wanted that the postal employees should be given better prospects and pay and as money was not to be found for this department, therefore the rates should not be reduced. I said on that occasion in relation to postcards, and I repeat it again, that so far as this part of the House is concerned they view this Postal Department from another standpoint. So far as this part of the House is concerned, they regard it as a nation-building department. They regard it as a department which will help literacy and spread of education and provide easy means of communications for Indians.

The Honourable Sir Bhupendra Nath Mitra: May I ask which particular amendment the Honourable Member is moving?

Pandit Thakur Das Bhargava: I have moved No. 18. But so far as the question of principle is concerned, there is no difference between this amendment which relates to postcards and the amendment which relates to letters. The argument is exactly the same. I have moved amendment No. 18.

Mr. President: Order, order. The Honourable Member was called upon to say whether he moved his amendment No. 15 or not, and without saying anything about it he straightaway took up No. 18, thus superseding Mr. Vidya Sagar Pandya who was very anxious to move his own amendment No. 16. Is that so?

Mr. Vidya Sagar Pandya: Yes, Sir.

Pandit Thakur Das Bhargava: I see the point. I understand that since the amendment No. 15 relates to letters and No. 18 relates to postcards the question arises whether I am giving up my amendment relating to letters. I am not giving up that.

Mr. President: What does the Honourable Member mean? The Honourable Member just told the Chair that he was moving No. 18. Does not that mean that he gives up No. 15?

Pandit Thakur Das Bhargava: That was a mistake. I propose to move both the amendments.

Mr. President: How can he move No. 18 when he already has No. 15 down on the paper which he wishes to move.

Pandit Thakur Das Bhargava: I am sorry if by mistake I have moved No. 18. I wish to move No. 15 which comes in point of order first. The amendment runs thus:

"That in Schedule I to the Bill, in the proposed first Schedule to the Indian Post Office Act, 1898, in the entries under the head 'Letters' for the words 'One anna' the words 'Half an anna' be substituted."

Now, Sir, I was submitting that the grounds for reduction of postal rates in respect of postcards are exactly the same as those in relation to letters. A friend of mine has just questioned this part of my arguments. I will first address myself to answering him. If the reduction of postal rates is moved in this House on the ground that literacy should be encouraged and that this Department is not only a commercial department but a nation-building department, then I submit there is absolutely no reason why those who are in favour of the reduction of postal rates in regard to postcards should not favour the idea of reducing the rate on letters.

Mr. C. S. Ranga Iyer: "Half a loaf."

Pandit Thakur Das Bhargava: Then, Sir, the reply comes that half a loaf is better than no loaf. Herein also I would join my friends if the responsibility of finding the money for providing for this reduction could be placed on this part of the House. The difficulty is that the Government will not bear us when we make constructive proposals. The only way in which the Government wants to baulk this House is that they want to say that we are in the habit of making destructive criticisms. In fact responsibility begets responsibility. I should like to see that the cuts made in this House are not restored by the Government if the Government is really sincere in wishing this House to make constructive proposals. I also see that more money will have to be provided if the postal rates regarding letters are to be reduced. But at the same time if that responsibility is taken away I do not see any reason why the same ground should not apply in the case of letters as in the case of postcards. That is my point, why I move my amendment in respect of letters also.

Now, Sir, it will be said, as was said last year, that this is a commercial department. Now if this department is left alone and the Telegraph Department is not tacked on to it, then I believe that a proper handling of this department would make it self-sufficient. If this department has got any affinity at all, it has got an affinity to the Railway Department as both of them provide easy communications for the poor people of India. If this department is separated from the Telegraph Department and it so happens that the postal part of Sir Bhupendra Nath Mitra is espoused with Sir George Rainy, then I consider that the legitimate progeny of that union will be a reduction in the postal rate. There will be no difficulty whatsoever, and this department will be self-sufficient and this reasoning would not be allowed to find favour with any person. Now, Sir, it will be said that the postal rates are very cheap and you cannot find any other country in which the postal rates are so cheap. The question arises, why are the postal rates so cheap in India? The sole reason is that you can find

in India cheap labour and other conditions which enable the postal authorities to go on with this cheap cost. If that is so, if, because labour, etc., are cheap in India, you are running this department cheap, then I would say that you must have an organic connection between this department and the people of India. The people of India are poor, and it follows that they must have a cheap system of postal rates. (*An Honourable Member*: "There ought to be free postage.") My friend interrupts me and says that there ought to be free postage. I for one would like that consummation (Hear, hear) even to come into existence to-day. On the last occasion we heard Mr. Joshi speak on this point and he submitted that before bread and water were free, there was no reason why there should be reduction in postal rates. Now when we claim and submit that the postal rates should be reduced, we should not be met by an objection of this nature. This objection has only to be stated to be turned down by the House.

An Honourable Member: Why?

Pandit Thakur Das Bhargava: The question is whether these postal rates are not too high in India. I would like to hear the statistics about any other country in which the postal rates would bear the same ratio to the earning capacity of the nationals of that country. It is no use telling me that in such and such a country the postal rates are dearer than what obtain in this country. I would like to have statistics on this point and I am open to conviction. If the reduction of postal rates is a condition precedent to the stoppage of all kinds of progress in this department, I for one would not vote for the reduction of postal rates. If the argument made out by the Member in charge of the Postal Department were really correct that if we reduce these postal rates, then further expansion of the department and further improvements in postal services will have to be avoided, I would rather have expansion and postal improvements than reduction of rates; but I do not believe that this is the case. Moreover, as I have just submitted, there is absolutely no reason why this House will not grant a subsidy from the general revenues to this Department if a case is made out for the grant of such subsidy. I do not know of any other argument which could be advanced on behalf of those who want that the rates should not be reduced. I submitted on the last occasion and I submit to-day again that all the departments of the Government of India are run from a certain standpoint, and that standard does not represent the standard of the poor man. We have just heard about the salt tax and we have been hearing in this House very many things which touch the pockets of the poor. The question is whether in all these matters you would ever take the standpoint from which the poor man would like to see that you view this question. In every case we find that that standpoint is not acceptable to the bureaucracy and the Executive Councillors. I hope that they will think twice before rejecting this demand which is always made every year on behalf of the House. I therefore submit, Sir, that the case for reduction of postal rates is very strong and if the words of the Member in charge of the Postal Department are to prove true—as he himself stated two years ago that if we want progress, if we want education, then we must reduce postal rates before providing means of education—if those words are to prove true, then he ought at least to be the first person to welcome an amendment of this kind.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Sir, I beg to move the amendment which stands in my name, that:

"In Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898. . . ."

Mr. President: The Honourable Member need not take the trouble of reading his amendment if it has already been moved.

Mr. Vidya Sagar Pandya: So far as I am concerned, I do not propose to touch the first $2\frac{1}{2}$ tolas of the weight of letters which is charged at the rate of one anna per $2\frac{1}{2}$ tolas. What I am concerned with is only the rate which is charged on the subsequent $2\frac{1}{2}$ tolas of each letter. There are many anomalies in the postal rates of the Indian Post Office, but this is one of the most striking; and it is not my intention to touch the other anomalies, but only deal with this particular matter. If we turn to the English rate for inland letters we find that they charge three half-pennies for the first two ounces and for every subsequent two ounces they charge only a half-penny, while in the case of our letters the first one ounce is charged at the rate of one anna and every subsequent ounce is charged also at the rate of one anna. The result is that whereas a letter in England is carried at a much cheaper rate, the letter in India is carried at a much higher rate. As our Finance Member has assured us that our rupee has been stabilized, I would like to compare these rates according to the new ratio of our rupee. (*An Honourable Member*: "Question.") We find. . . .

Mr. President: What is the Honourable Member doing?

Mr. Vidya Sagar Pandya: I am trying to show, Sir, that our rate works very heavily compared with the English rate for a letter after the first $2\frac{1}{2}$ tolas weight.

Mr. President: I notice that there is some difference between the two amendments, Nos. 15 and 16. I am unable to understand what that difference is. Will the Honourable Member merely content himself by supporting No. 15 or does he wish to move No. 16?

Mr. Vidya Sagar Pandya: I wish to move my amendment No. 16.

Mr. President: What is the difference between Nos. 15 and 16? Will the Honourable Member explain?

Mr. Vidya Sagar Pandya: The difference is that amendment No. 15 wants reduction in both the entries, i.e., the first and second parts; I want reduction only in the second entry. No. 15 deals with both the first $2\frac{1}{2}$ tolas as well as the subsequent $2\frac{1}{2}$ tolas and I want reduction only for the subsequent $2\frac{1}{2}$ tolas and not for the first $2\frac{1}{2}$ tolas.

Mr. President: The Honourable Member can now go on with his speech.

Mr. Vidya Sagar Pandya: Now, Sir, if we compare the English rates, we find that in England for 5 tolas they charge 3 pennies and for every subsequent 2 ounces they charge only a half-penny. That is to say, the rate for the subsequent 5 tolas is only one-third of the first 2 ounces, whereas in the case of the Indian rate we have got the same rate both for the first $2\frac{1}{2}$ tolas as well as the subsequent $2\frac{1}{2}$ tolas. Now, if we compare the rates and go into the details, we find that, while we have to pay 2 annas for

carrying 5 tolas, they pay only 16 pies to carry 4 ounces or ten tolas; thus in the case of our first one anna we pay nearly 50 per cent. more than the English rate. As we proceed further up we find that, while we carry for our 2 annas 5 tolas, they carry practically 15 tolas. Similarly, while for 3 annas our letters carry only $7\frac{1}{2}$ tolas, their letters for $26\frac{2}{3}$ pies carry 15 tolas. Proceeding further up, we find that we pay 4 annas for our letters weighing 10 tolas, they can for the same amount post a letter weighing 35 tolas while their $5\frac{1}{2}$ pies carries 5 tolas we have to pay 24 pies for it. The result is that we practically pay $4\frac{1}{2}$ times as much as the English rate in the matter of weight beyond the first $2\frac{1}{2}$ tolas.

It may be urged in this connection that the English inland rate is cheaper because the distance which the letter has to travel is not so much. In the case of India, however, the distance to be travelled is very great. In that connection I should like to draw the attention of the House to the foreign rates for our letters. We are charged for our letters to the United Kingdom 2 annas for the first $2\frac{1}{2}$ tolas and for subsequent $2\frac{1}{2}$ tolas $1\frac{1}{2}$ annas. That is to say, we give a reduction of half an anna for every subsequent $2\frac{1}{2}$ tolas, while we do not allow that reduction in the case of our inland letters. Similarly, in the case of foreign letters to countries other than the United Kingdom, Egypt and other British possessions, we are charged 3 annas for the first $2\frac{1}{2}$ tolas and $1\frac{1}{2}$ annas for the subsequent $2\frac{1}{2}$ tolas. The result is that we allow a reduction of $1\frac{1}{2}$ annas for every subsequent $2\frac{1}{2}$ tolas, whereas we do not allow any reduction in the case of the inland letters. I submit, Sir, that if we adopt a lower scale for the subsequent $2\frac{1}{2}$ tolas, the work of the Post Office both in the matter of carrying as well as sorting and in other directions will be minimised and at the same time the cost of carrying the letter will not increase. Sir, the Honourable the Finance Member in his budget speech on page 33 said :

"I am not sure myself whether it will ever be possible to run the Department without a subsidy from the tax-payer at much less than the present postal rates, regard being had to the index number of the cost of living to-day and the consequent increase in the wages bill."

I think that argument very fallacious. Surely the wages in England are much higher than those in India, and it should not cost more to carry letters as it costs in England. But we find that the rate for every subsequent 2 ounces in England is only a half-penny or $5\frac{1}{2}$ pies, while we pay one anna or 12 pies for every subsequent 1 ounce only.

Probably the difficulty in cost is due to the mismanagement of the department. For you will observe in the same speech the Finance Member has said :

"The increased loss has been brought about mainly by the fact that an additional sum of 8 lakhs has had to be provided to enable the book value of a large volume of surplus, obsolete and overvalued stores to be written down to their current values."

The Honourable Sir Bhupendra Nath Mitra: May I point out that that remark applies to the revised estimate and has nothing to do with the Budget?

Mr. Vidya Sagar Pandya: However, similar mismanagement has cost the tax-payer a large amount of money in writing off this overvalued and obsolete stores in the past. The result is that with such mismanagement it is difficult to reduce postal rates in this country, and if the department

[Mr. Vidya Sagar Pandya.]

were better managed we could easily have had a better rate of postal charges if the department had worked on the right lines.

Mr. K. Ahmed: Appoint postmen in extra post offices in the villages.

Mr. Vidya Sagar Pandya: Now it will be urged that a sacrifice of $\frac{1}{2}$ anna in every subsequent $2\frac{1}{2}$ tolas will involve a great deal of financial sacrifice. I have not been able to get from the department the exact amount of loss it would involve, but I think if extra facilities were given it would lead to more letters being posted, and any deficit on that score will to a great extent be covered by the facilities now granted. It is just possible that the Postal Department cannot work on a commercial basis and, as has been suggested, the rate-payer will have to give a regular subsidy to maintain the Post Office. It is better that from other sources of income from the Government of India a subsidy is given, and if a tax is levied in other proper directions this loss can be easily recovered. and the reduction in postal rates will be a great help to the general public.

Mr. Mukhtar Singh : Sir, I beg to move :

"That in Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, in the entries under the head 'Letters' for the words 'One anna' the words 'Three quarters of an anna' be substituted."

Sir, my condition is the condition of a drowning man who wants to catch at a straw. If the amendments that have been moved fail, then in order to square up the bargain I propose that instead of reducing it to half an anna, *i.e.*, by 50 per cent., let it be reduced by only 25 per cent. That is not a great hardship on the Exchequer, but at the same time it will relieve considerably the poor. That shows how strong is the feeling on this point. The increase in the postal rates was only a temporary measure and when we have reached normal days it is but fair that we should revert to the old postal rates. With these words, Sir, I move my motion.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I find it somewhat difficult to find out from the speeches of the three speakers who have spoken on certain motions which are not wholly allied to one another, what they are really driving at. Pandit Thakur Das Bhargava, who moved the first of these amendments, wanted to establish the principle that the Postal and Telegraph Department should be run as a sort of benevolent institution. That principle has definitely been opposed in the past by various Honourable Members opposite. I have quoted from their speeches on various occasions in the past; and the correct principle is so well understood, so far as I am aware, that it is hardly necessary for me to dwell on the point at any great length. I shall read only a small extract from a speech of one of the Honourable Members opposite in this House as early as the 18th March, 1921. This is what the Honourable Member said :

"I should be the last person to make the Postal and Telegraph Department run as a charitable institution or as an institution intended for the benefit of the public at large. I see no reason whatever why, if I have to send my letter by post for my own convenience or the convenience of the addressee, somebody else, some other Honourable Member, should contribute his quota to the cost of the carriage of that letter. It is my work and I must pay for it."

In fact, that brings out clearly the object of this department. The department exists to render certain services to the public and it pays for the cost of those services out of the fees which it levies for these various services

Mr. K. Ahmed: But you do not appoint postmen to deliver letters; at the same time you take half an anna and one anna for your card and letter.

The Honourable Sir Bhupendra Nath Mitra: I am glad of the interruption which my Honourable friend, Mr. Kabeeruddin Ahmed made. I shall come to that pretty soon. My friend, Pandit Thakur Das Bhargava, argued, I think, that this Postal Department should be utilised as a means of disseminating education, and he quoted me as supporting some such proposition in the past. I have no recollection at all of having ever supported or subscribed to that wholly unsound proposition. I think I said on one occasion that the opening of a post office should follow the spread of education. Take, for example, a particular village; if the men there are wholly illiterate, there is no use our opening a post office there. When literacy has grown in that village, then it may be necessary to open a post office in that particular village. So far as I am aware, in no country in the world is the function of the Post Office different from what I have set it out to be, namely, that the Postal and Telegraph Department undertakes certain services and it levies certain rates the aggregate yield of which pays for those services. As a matter of fact, in many countries in the world—take England in particular—it is the policy of the Government to make a profit out of that department; and in England, I believe, the profit at the present moment amounts to as much as six million pounds or over, and still the Government there does not think that it is essential to reduce the postal rates. In India we have adopted this definite principle at least in recent years that the rates for the various services should be so adjusted that the revenue earned by the department as a whole from these various fees or rates should equal the expenses of the department. We consider that if the department does manage to secure more income from these various fees than is required to meet the expenses, the first charge on the surplus revenue is the development of the department and its maintenance in a proper state of efficiency. And here I shall turn to my friend Mr. K. Ahmed. In pursuance of this policy we have been trying our best to open every year a larger number of post offices mostly in rural areas than it has ever been possible for us to do in the past. I shall give certain figures. In the nine years ending 1924-25, we opened 780 new post offices. In the year 1925-26, we opened 556 new post offices; in the year 1926-27, we opened 863 new post offices; and in the current year 1927-28, in eleven months, we have opened 946 new post offices, and I am pretty sure that before the year is over, the number of new post offices opened will exceed one thousand.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Is it not a fact, Sir, that during the last two years I have been trying to get a combined post and telegraph office at Topi for a rural area having a population of not less than 20,000 souls and have failed to get it.

The Honourable Sir Bhupendra Nath Mitra: I am sorry, Sir, I have no knowledge of the specific case which the Honourable Member mentions. If he will let me know the facts of that case I shall try my best to help him. I think my friend Mr. Ram Narayan Singh last year suggested to me that we might open some new post offices in his part of the country. I asked him to let me have a statement indicating the places where he wanted to have those post offices opened and also some information . . .

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): But my complaint was that you do not deliver letters to addressees and they have to come to the post offices for them, as there is no postman at all.

The Honourable Sir Bhupendra Nath Mitra: Please wait. I would have dealt with Mr. Ahmed's complaint but for the interruption of my friend Sir Abdul Qaiyum. Now, after a year's interval my friend Mr. Ram Narayan Singh sent me only two days ago a statement, and if he now stands up and says that new post offices have not been opened in his part of the country, well, the fault is not mine.

Nawab Sir Sahibzada Abdul Qaiyum: I got a letter from the Director General for the Punjab Postmaster General and there was some correspondence about it, but the final reply was that there was no specific reason for opening the office as there was no official correspondence.

The Honourable Sir Bhupendra Nath Mitra: I could not possibly discuss here the case of individual stations. If my Honourable friend will let me have particulars of the case which he refers to, I shall certainly look into the matter.

My friend Mr. Kabeeruddin Ahmed's complaint was that there may be post offices in rural areas but we have not got an adequate number of postmen there.

Mr. K. Ahmed: Not even one.

The Honourable Sir Bhupendra Nath Mitra: That is precisely the reason why we want more money to maintain the services in a state of efficiency and that is why we cannot afford to reduce the postal rates. Having opened a new post office we will have to staff it gradually with an adequate number of postmen and postal subordinates of all classes, as money can be made available for the purpose. I think I have several times explained on the floor of this House that the rural post office, when first opened, does not pay its way. Therefore, at that stage we have to put in there the minimum staff. It is the experimental stage. As the business grows, we put in more men into that post office.

Mr. K. Ahmed: But you charge that half an anna and one anna all the same on postcards and letters.

The Honourable Sir Bhupendra Nath Mitra: That money is required to maintain the department in a state of efficiency to develop it. Our policy is to make maintenance in a state of efficiency and development the first charge on any available funds. Development and maintenance in a state of efficiency include three items, firstly, opening of more post offices in rural areas, secondly, addition to the staff, and thirdly, a reasonable improvement of the service conditions of the men. That improvement I consider to be of some importance, because, if the men are wholly discontented, if they feel they are overworked, if they feel that they are being underpaid, naturally it reacts on the efficiency of the service.

Mr. K. Ahmed: You have enough profit from the Postal Department, but do not mix it up with the Telegraphs and the Radio.

The Honourable Sir Bhupendra Nath Mitra: I think I have now disposed of the point raised by my friend Pandit Thakur Das Bhargava that this department must be run as a charitable institution and that it should disseminate education among the public and for that purpose a subsidy should be given to it. I should like to point out to him that the specific

proposal made by him about reducing the letter rate by 50 per cent. would cost something like Rs. 1,70,00,000. I would suggest to him that the money if available might be spent much better in directly fostering education than in indirectly disseminating education through cheap postal rates.

I shall next turn to my friend Mr. Vidya Sagar Pandya and I confess I am somewhat surprised that he should have made his proposal. A similar proposal was brought forward by Government in this very House in the year 1921 and it was turned down—perhaps rightly—apparently because the House did not want to show greater favour to the rich man who can pay than it was possible for it to show to the poor man; and in the other House, which is probably composed largely of capitalists, that reason was definitely given by some Members who did not support that proposal. The visible cost of my friend Mr. Vidya Sagar Pandya's proposal would be something in the neighbourhood of Rs. 20 lakhs but that is only the visible cost. I am pretty sure from various arguments which my friend put forward in the course of his speech that the effect of the proposal will be much wider, though I am not sure that my friend has that ulterior object in view. At the present moment a letter weighing $2\frac{1}{2}$ tolas has to pay one anna. If that letter weighs 5 tolas it has got to pay 2 annas. My friend said that if you reduce the second rate to half an anna, it would mean that a letter weighing 5 tolas would be carried at $1\frac{1}{2}$ annas and he said that that would not lead to any increased cost. He apparently meant that a person who wanted to send two letters each of $2\frac{1}{2}$ tolas, say, from Calcutta to Bombay, would put the two into one cover and thereby pay one and a half annas instead of two annas. If that is so, if the effect of his proposal is that, and I quite agree that it may lead to abuse of that sort, I cannot say what the loss in revenue would be. Anyhow I am not prepared to accept the proposal, I have not got any money to spare for the purpose. Its acceptance would, therefore, result in the grant of a subsidy to the Postal and Telegraph Department from the general tax-payer, and on principle I am opposed to that proposition. As I explained last year, once this House establishes that principle, it may say good-bye to all development in the department. It may say good-bye to all schemes for the improvement of the prospects and conditions of service of the low-paid subordinates in the department. It may say good-bye to all our efforts not to continue the process of sweating the staff. I am therefore strongly opposed to any such idea. I think I said last year that I am not aware of any country in the world where such a subsidy is paid. I know that Mr. Neogy pointed out that in the United States of America they paid what is undoubtedly a subsidy from the general tax-payer to the postal services. But I explained to him the reasons why that subsidy was paid. It is not really a subsidy; it is payment for services rendered by the post office to the State and to Members of the Legislatures for those services without any payment being made through the usual channel of postage stamp.

Incidentally a question has been raised why we should mix up the Postal and the Telegraph Departments, and why we should not devote any surplus which may be obtained on the postal side of the combined department to a reduction of postal rates and let the Telegraph Department be subsidised by the general tax-payer. I think I explained last year very fully why these various services should be looked upon as one combined whole, and I do not propose again to dwell on that particular point. But assuming that there was any substance in the argument of my Honourable friend, Mr. Thakur Das Bhargava, in that

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connection, or in the suggestion made by my Honourable friend, Mr. Kabeeruddin Ahmed, I would ask them to turn to the figures of the Budget estimate. According to these figures, the net profit in the post office branch of the department in 1928-29 will amount to only about Rs. 7½ lakhs. I wonder how from that I am going to meet the large loss of about Rs. 1¼ crores which the proposals of my Honourable friend, Mr. Thakur Das Bhargava, will involve. The estimated loss on the working of the telegraph branch of the department including the radios is only about Rs. 11 lakhs in 1928-29. I am pretty sure that when we have succeeded in splitting up the receipts and charges under telegraphs and radios, we shall find that nearly the whole of that loss is in connection with radios. On the telephone side now, for the first time, we expect a profit of Rs. 4 lakhs, so that that branch of the department will pretty soon pay its way. There was an alternative suggestion, I believe, by my friend Mr. Mukhtar Singh who said that if we could not get the letter rate reduced to half an anna, he would like to have it reduced to three quarters of an anna. That, Sir, would be open to all the objection to which I have already referred, the only advantage from his point of view being that the loss would amount to 85 lakhs of rupees instead of 1 crore and 70 lakhs.

Sir, I would ask my Honourable friends opposite not to pursue any of the motions in regard to the reduction of the postal rates. I am very definite that we cannot afford these reductions if we are to treat our staff decently. I know that many of my friends opposite have a strong feeling that we should be fair to the staff. They hold in the same way as I do that the staff deserve to be fairly treated and I think in fairness to the staff this House ought to abandon—at any rate this year and it may be for some time to come—any attempts to reduce these postal rates. In this matter people who pay these postal rates are in the position of employers of these subordinates on comparatively low rates of pay. I think it is well recognised now that employers must be progressive and must pay more attention to the welfare of their employees. I submit, Sir, that this House ought to look at the matter from that point of view and before trying to get higher dividends from these services look more to the interests of the staff. My Honourable friend the Finance Member has in his budget speech admitted that aspect of the case and it took me some time to persuade the hard-hearted Finance Member to accept that position. I hope this House will not take any action which will weaken my position and may make his successor take a different view of the matter altogether.

Sir Purshotamdas Thakurdas: I rise to support the amendment of Mr. Vidya Sagar Pandya. I remember the Honourable Member in charge feeling surprised at Mr. Vidya Sagar Pandya's amendment. I wonder if my Honourable friend will misunderstand me if I say that to-day he has excelled himself and made a speech which I think requires to be examined in every one of the aspects of his defence. He reminded the House that the British Post Office showed a profit of 6 million pounds a year. May I ask whether the British Post Office keep their accounts on the same basis as the Honourable Member's department does?

The Honourable Sir Bhupendra Nath Mitra: It is the profit on the basis of *pro forma* commercial accounts.

Sir Purshotamdas Thakurdas: May I further inquire whether the British Post Office had its capital works built out of revenue as the Indian postal capital works were built? Sir, this is due, I know, to what is called the

commercialisation of the Postal Department's accounts. Till almost 1922 all the capital work of the Post Office was paid for by the revenues of India.

The Honourable Sir Bhupendra Nath Mitra: No, Sir.

Sir Purshotamdas Thakurdas: I am speaking subject to correction as I have not got my reference books with me, but most of it was paid by the revenue part of the 'tax-payers' money. When the commercialisation was taken up all this was looked upon as capital invested and interest is being charged to the Post Office. The Honourable Member referred to the suggestion that a subsidy may be paid to the Postal Department. What we are anxious about is that no department of the Government of India, not even the Finance Department, should profiteer at the expense of the Postal Department. Sir Bhupendra Nath Mitra has excelled himself to-day and this is how I justify

The Honourable Sir Bhupendra Nath Mitra: May I point out to the Honourable Member, as I pointed out last year, that most of the interest is charged to the telegraph branch of the Department and not to its postal branch.

Sir Purshotamdas Thakurdas: And the accounts of the two are amalgamated.

The Honourable Sir Bhupendra Nath Mitra: The accounts as regards profit and loss are kept separate.

Sir Purshotamdas Thakurdas: And the loss or profit is finally amalgamated. Now, Sir, in running down Mr. Vidya Sagar Pandya the Honourable Member had to call in the usual bogey of capitalists and poor classes, the one thing which I should have thought Members on that Bench at least would have avoided. I have no hesitation in standing up to-day before this House and saying that the Honourable Member's outlook on the whole question is wrong. It is not a question of defending the capitalist at all. You are taking more to-day from the public who use the Indian Postal Department in a certain direction than you did in the past. Does it matter if the upper or better off classes use your department more? Do you mean to tell me that you are entitled to profiteer from any class? The Honourable Mr. Vidya Sagar Pandya has quoted figures which go conclusively to show that you are charging more in several directions, as he has pointed out in his amendment, than is the case in Great Britain. Sir, the one boast of the Postal Department of the Government of India was that it was the cheapest postal service in the world. That boast has ceased to be. Our complaint to-day is that the postal service in some directions is dearer even than in the United Kingdom. To call to your aid, therefore, the capitalist and the labour bogey, to call to your aid the postal clerk and try to prejudice this Assembly, is not an attempt which can be considered worthy of any Member on the opposite Benches. Meet the case by argument; do not try to defeat it by prejudice. I venture to congratulate my friend Mr. Vidya Sagar Pandya on his amendment. I only hope, Sir, that Sir Bhupendra Nath Mitra will not repeat the effort.

Coming, Sir, to the main point, the question is, are you charging the public who use the Postal Department in India a higher rate than what the public in England pay or not? That is the whole question, and I submit that my friend has made out a very strong case. When you are

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asked to reduce the postcard rate you say it will mean a reduction of a crore and a half. When you are asked to meet us in certain other directions where your charges are distinctly unfair, you try to prejudice the case. Is this the way of meeting our arguments regarding our grievances? Why do you want to call to your assistance the sweated postal employees? I am quite sure that Mr. Vidya Sagar Pandya will withdraw his amendment if the Honourable Member says that he will devote the whole of that extra income to the betterment of the postal employee. Is he prepared to get up and say that? What is the good of asking this House to vote against the amendment on mere prejudice? Is the Honourable Member prepared to say that what he takes from the people who use the heavier letter he will put on one side and at the end of two, three or five years consider a reduction of the postcard rates? No, Sir. The policy of the Postal Department unfortunately has been, "let me take from you all that I can so that I may pass it on to the Finance Department".

Mr. K. Ahmed: Then you have more strength behind you.

Sir Purshotamdas Thakurdas: If you came behind me Mr. Kabeeruddin Ahmed I would have greater strength. I fully realize the Honourable Member's great handicap. He agreed to an arrangement with the Finance Department. He is now trying to defend it. That is the trouble. In trying to defend it we may even tolerate him, but let him not try to misconstrue our grievances when they are brought before the House. If he feels that he has not got the surplus money in his Budget, let him frankly say so. We perceive many weak points in the Government of India's Budget, and we know that his is one of them. But to call to your assistance irrelevant factors is not a thing by which you improve your defence.

Now I wish to submit one instance of what I have in mind. Only this morning I received a letter from Bombay—and I will with your permission quote a part of that letter. It is from a well-known firm of book-sellers in Bombay showing how the charges of the Postal Department have been doubled during the last seven years to the great handicap and to the great drawback of the spread of education or literacy. The letter says:

"From our experience of the last few years we beg to point out that the present heavy postage rates have most adversely affected the book trade which already suffers from a terrible depression. Besides, it serves as a heavy tax on the already over-taxed population of the land, particularly on those connected with education. We may mention that a small book of say 8 annas in value—

—and, Sir, these book-sellers deal mostly in vernacular books—

"if ordered by V. P. P. costs as under in the old days"

—I understand by old days they mean before the war—

"8 annas value of book, one anna value-payable fee, one anna postage on one-half pound, *total 10 annas*, whereas under the present rates the same book costs as under: 8 annas value of the book, 2 annas registration (now compulsory), two annas V. P. Fee (now raised), two annas postage on half a pound (now double), *total 14 annas*."

An Honourable Member: shame!

Pandit Thakur Das Bhargava: There is yet a difference of two annas.

Sir Purshotamdas Thakurdas: I am glad my informants have understated their case and not overstated it and the Postal Department come up and tell us that even those who have to send heavier letters

should not raise their voice in this House. I submit the time is past when the Postal Department can avoid looking into the great necessity of reducing their rates at least in directions like these. Sir, the amendment of Mr. Pandya amounts only to this,—do not make this dearer than what it is in England to-day. Does the Honourable Member contend that we can afford in any direction higher postal rates than in England? Does he contend that the commercial community here can afford to pay and should be charged more than the commercial community in England pay? And in fact what is the justification for pleading that even the commercial classes should pay more? If the Honourable Member in charge of the Department says he is prepared to give this amount to the postal employees, I am sure Mr. Vidya Sagar Pandya will withdraw his amendment.

Mr. Vidya Sagar Pandya: I will.

Sir Purshotamdas Thakurdas: My friend says he will. If he does not

The Honourable Sir Bhupendra Nath Mitra: May I ask my Honourable friend what he wants me to give to the postal employees?

Sir Purshotamdas Thakurdas: Just what you said you may have to give them. Why did you call the postal employes to your assistance in this matter? Where was the question of the postal employees? My friend Mr. Vidya Sagar Pandya gave figures and showed that you are charging higher rates in India than in England. Where does the question of the employee come in? Why did you call him to your assistance? I wonder whether you will ask them to stay and have lunch with you. Give them the lakhs that you get out of this unjustified charge. Sir, the Honourable Member need not have tried to prejudice Mr. Pandya's case in the manner he sought to.

Sir Darcy Lindsay (Bengal: European): Sir, if I understood my Honourable friend Sir Purshotamdas Thakurdas, he stated that the rates of postage in England were lower than they were in India.

Sir Purshotamdas Thakurdas: May I correct the Honourable Member? Mr. Vidya Sagar Pandya gave figures and showed that they worked out to a lower rate than the rate that is being charged here and hence his amendment.

Sir Darcy Lindsay: I understood Mr. Vidya Sagar Pandya to state that the rates in England for the second ounce were lower than for the second 2½ tolas in India, which is a very different statement to what my Honourable friend has given to the House. My Honourable friend most distinctly stated that the rates in England were lower than the rates in India. I refute that entirely. As everybody in this House knows the rates of postage in England are one and a half penny for an ounce.

Sir Purshotamdas Thakurdas: Will the Honourable Member allow me to interrupt him? What I said was "in the direction in which Mr. Vidya Sagar Pandya wishes to make his amendment the rates here are higher at present than in England on the subsequent one and a half tolas."

Mr. Vidya Sagar Pandya: In England for $5\frac{1}{2}$ pies they carry 2 ounces.

Mr. President: Order, order.

Sir Darcy Lindsay: I am very glad that my Honourable friend Sir Purshotamdas Thakurdas has now made the position a little more clear to the House than was the position when he spoke.

Sir Purshotamdas Thakurdas: It was clear.

Sir Darcy Lindsay: It was not at all clear.

Sir Purshotamdas Thakurdas: I am very sorry for my friend. Other Members say it was clear.

Sir Darcy Lindsay: Then we come down to this position that the House is asked to reduce the rate of postage in India for the second $2\frac{1}{2}$ tolas and subsequent $2\frac{1}{2}$ tolas, because the rate in England for the second and subsequent ounces is much less than the rate in India. I cannot quite see the force of this argument. The Honourable Member in charge has pointed out, any such reduction would be beneficial to the more wealthy and not assist the poor man in any degree at all.

Sir Purshotamdas Thakurdas: Help the poor man then. Devise something which will help the poor man.

Sir Darcy Lindsay: I was only discussing this amendment put forward and on which the Honourable Member spoke.

Sir Purshotamdas Thakurdas: I hope the Honourable Member heard me through. (At this stage an Honourable Member from the Official Benches called out: "Order, order.") What is the matter about "Order, order"? It is the Honourable the President alone who can call me to order.

Mr. President: Order, order.

Sir Purshotamdas Thakurdas: Sir, I obey. (The Honourable Member sat down.)

Sir Darcy Lindsay: The question before the House is as to whether we should reduce the postal charge for these additional $2\frac{1}{2}$ tolas. It has been pointed out by Sir Bhupendra Nath Mitra that if any such reduction was made, there would be a loss to the revenue of possibly Rs. 20 lakhs. Now, Sir, that is a very serious sum to lose in revenue, when all the money that the Post Office can get is required for extending the system and paying higher wages to the men and giving the men housing accommodation and various other improvements of that nature. I, as a member of the Standing Finance Committee, had before me recently a scheme for a considerable improvement of pay and conditions of the postal employees and I am very glad indeed that it was accepted by all the members of the Committee and has been accepted by this House in passing the particular item in the Budget. Any improvement in that direction must be welcome to all Members of this House. But I am, indeed, surprised that my friend Sir Purshotamdas Thakurdas should support what I consider to be a very minor matter, namely, the reduction of the rate in the case of the second $2\frac{1}{2}$ tolas, when we know that it

might jeopardise the improvement of the conditions of the employees and also the expansion of the whole Postal Department.

Another matter that my Honourable friend Sir Purshotamdas Thakurdas took up was the question of the interest charges. He made various charges against the Finance Department which, I must admit, I could not follow. How the Finance Department were benefiting at the expense of the Postal Department and the Telegraph Department is beyond my comprehension, my head is not very clear as to his figures. This question of interest charges is one in which I was particularly interested a few years ago when it was charged up to the Post Office only. I think the amount was something like 60 lakhs and at a later stage, when the figures were more closely gone into, the total was reduced, I believe, to nearly 45 lakhs or somewhere about that figure. The bulk of this amount was debited to the Telegraph Department and the Postal Department were charged only about 10 or 15 lakhs. So, I do not think very much can be made by my Honourable friend of that point. I appeal to the House on behalf of the Postal Department not to accept this amendment to reduce the charge on the postage for any weight over the 2½ tolas.

Mr. H. G. Cocke (Bombay: European): Sir, I desire to add only a few words in connection with some of the remarks made by my Honourable friend from Bombay (Sir Purshotamdas Thakurdas). I am surprised to find him supporting a reduction of this nature because obviously it is a reduction which does not really help the masses in the same way as other reductions would.

Sir Purshotamdas Thakurdas: Help the masses, I agree.

Mr. H. G. Cocke: I posted myself just now a letter on which I had to affix stamps worth 2 annas and if this amendment is passed I should only have to put stamps worth 1½ annas on a similar letter in the future. But the ordinary man in this country does not post letters of over 2½ tolas and therefore we are really dealing with a matter which affects the businessmen very much more than the people throughout the length and breadth of the land. Therefore, I hope, although personally I should benefit and business people would benefit, this matter will not be pressed any further. My friend Sir Purshotamdas Thakurdas in his attack on the Government Benches rather got confused on several points which have already been referred to by my Honourable friend in front (Sir Darcy Lindsay). He got very confused on the subject of the Post Office accounts. I have got here the annual report for 1925-26. I am sorry I have not got the report for 1926-27 but that is the fault of the department. For some reason or other they take a year to get this book published. The report for 1925-26 was signed by Sir Ganen Roy on the 25th March 1927, so he took a year to get that report ready. Why the report cannot be produced in three or four months I should very much like to know. It is true there are very elaborate statistics given as to the number of packages posted, newspapers, parcels, etc., but surely that could be reported upon within three months. Had that been done I should now have had the figures for a year later than I have.

Now with regard to the profits of the three departments over which Sir Purshotamdas Thakurdas rather got confused I would point out that for the year ending 31st March, 1926, the Postal Department profits were

[Mr. H. G. Cocke.]

nearly 49 lakhs after interest on capital of 6 lakhs had been charged, and as regards the Telegraph Department the losses were nearly 7 lakhs after 34 lakhs of interest on capital was charged. I am not quite clear what point the Honourable Member tried to make. He said that in the past the postal capital expenditure had been made out of revenue, which is perfectly true. Had this expenditure been made out of capital, and more debt incurred, the result would have been to increase the interest and reduce the profits. He seemed to me to argue the other way. In any case, Sir Purshotamdas is a business man and he and the House have now recognised that the principle has been approved that the Postal Department ought to be run on business lines and that its small profits ought not to be given away in postal reductions to the extent of producing a deficit. The amount available for last year was very small and there was the delayed promise to the postal staff to do something for them, and therefore I think this House would be quite wrong to attempt to upset the rates this year. Whether in the future it will be possible to have minor adjustments in rates I don't know, bearing in mind that we have to run the department at a small profit. It is quite possible that there may be minor adjustments, but I doubt if we can ever expect to get back to half the rates that now exist.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, I have got great sympathy for the Honourable Sir Bhupendra Nath Mitra, if he has been entrapped by the Finance Department as pointed out by Sir Purshotamdas Thakurdas. But all the same he ought to be prepared for a big storm if he does not carry out the wishes of the House in this direction. It seems to me that the case is so strong in favour of reduction that although some of us will not like to do anything at this stage which might cause disturbance in the Budget, he ought to know that unless he did something effectively in the next Budget he will have to be prepared to face greater troubles from this side of the House.

Two alternatives have been put before the House by Sir Bhupendra. He says the money at his disposal is limited; either improve the services or reduce the price of letters and postcards. Sir Purshotamdas has thrown a challenge to Sir Bhupendra Nath and if he gave Sir Purshotamdas a definite promise that he would be prepared to spend all this money for the improvement of the services Sir Purshotamdas would persuade our friend Mr. Pandya to withdraw his motion. I am very sorry, Sir, that this challenge has not been accepted by Sir Bhupendra Nath. What seems to me to be a very great hardship is this that while in England you could send 5 tolas of weight for $\frac{1}{2}$ d., in India you have to pay about 1 anna for $2\frac{1}{2}$ tolas. This seems to me to be rather too high a rate. I do not see any reason why in India we should have higher rates for postal charges as compared with England.

Sir, it may also be argued from our point of view that even the reduction of postal charges may bring in more revenue. When the Honourable the Commerce Member introduced his Railway Budget he remarked, in support of the reduction of railway charges in various directions, that he expected that these reductions may stimulate more traffic and thus eventually may not cause any loss to the Railways. I think, Sir,

probably the same argument may be applied in favour of the reduction of postal charges too. I do not want that the Postal Department should be run at a loss, but at the same time I do not think it is fair to the tax-payer that the other departments—Telegraph, Radio and so many other things—should be fed at the cost of Posts. After all, it should not be forgotten that it is the Postal Department which is more utilised by poor people, while the other departments, Telegraphs, etc., are utilised more by richer men. Therefore, it would be most unfair if these rich men's departments, Telephones, etc., were fed at the cost of the Postal Department which is a poor man's department. I would therefore urge upon Sir Bhupendra Nath Mitra to consider this matter very seriously; and although I for one would not like to do anything at this stage which may disturb the Budget, I hope however that Sir Bhupendra Nath would consider this matter very seriously and try to carry out the desires of this House in the next Budget.

The Honourable Sir Basil Blackett: Sir, I do not wish to intervene at any length. A challenge has been thrown out which I think is fairly simple to answer. The Government have stated and state it again that they do not desire to make any profits on the working of the combined Postal and Telegraph Departments. If they make any profit or if they have a prospect of making any profit, they will devote those profits either to a reduction of rates or to an improvement of facilities or it may be to an improvement in the conditions of service of the men, though I am inclined to say that so long as the men are not reasonably paid there are no profits. But I answer the challenge perfectly definitely, that the Finance Department have no desire to appropriate the profits earned by the Post Office to general revenues in relief of other taxation, in the same way as they have no intention of running the department at a loss out of a subsidy from the general tax-payer.

Now we have before us three amendments. The simple answer to all of them, without entering into any details, is the one which Sir Purshotamdas Thakurdas himself quite rightly gave, that it cannot be done this year either out of the profits of the Post Office or out of the provision in the Budget without creating both a deficit in the Budget and a deficit in the postal position involving a subsidy upon the tax-payer. I do not want to argue in particular Mr. Vidya Sagar Pandya's amendment. My friend, Sir Bhupendra Nath Mitra, quite rightly pointed out that this proposal which is now made by Pandit Thakur Das Bhargava was definitely made by the Government in 1921 and was definitely disagreed to by this House on the ground given by the Honourable Sir Bhupendra Nath Mitra. He did not state that it was his own ground; at any rate he stated that it was a ground on which the House definitely rejected the proposal at the time.

Sir Purshotamdas Thakurdas: Was that when the Government doubled the postcard and the letter?

The Honourable Sir Basil Blackett: It was at that time.

Sir Purshotamdas Thakurdas: Naturally.

The Honourable Sir Basil Blackett: It was at that time. But I also agree with what I believe to be at the back of Mr. Birla's mind and also the mind of Sir Purshotamdas Thakurdas: it is a question whether

[Sir Basil Blackett.]

you should reduce the rates when you come to the upper weights above 2½ tolas, whether you should have a reduction of those rates or not—not on the ground whether it benefits this or that class—because any practicable reduction of rates must be beneficial as a whole. (*Sir Purshotamdas Thakurdas*: “Hear, hear”.) It should be judged on the point made by Mr. Birla, whether the traffic will bear it. If the traffic will bear it, I think it should be done without reference to the fact that it happens that the concession you make benefits perhaps the richer men, even if you cannot at the same time make a concession which benefits the man who is the vast majority of the people, who pays only the lowest postage on the smallest weight. That question will, I am quite sure,

5 P. M. be considered on its merits with reference to the position at some future date. But at the present moment, as is recognised by this House, we are not in a position to agree to any reduction in the rates this year and that partly for the reason that we have appropriated all potential surplus to long delayed improvements in the condition of the workers which we have not hitherto been able to do, because we have not had a surplus.

Mr. President: The question is:

“That in Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, in the entries under the head ‘Letters’ for the words ‘One anna’ the words ‘Half an anna’ be substituted.”

The motion was negatived.

Mr. President: The question is:

“That in Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, in the entries under the head ‘Letters’ for the words ‘One anna’ the words ‘Three quarters of an anna’ be substituted.”

The motion was negatived.

Mr. President: The question is:

“That in Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, in the second entry under the head ‘Letters’ for the words ‘One anna’ the words ‘Half an anna’ be substituted.”

The motion was negatived.

Pandit Thakurdas Bhargava: Sir, I move:

“That in Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head ‘Postcards’ the following be substituted:

‘Single	...	...	...	Quarter of an anna.
Reply	...	...	...	Half an anna’.”

Sir, I submitted to the House some of my reasons for this amendment when I moved my amendment No. 15, and I do not therefore wish to repeat them now. I then said that some of the reasons were common to the two amendments, but in some respects the case of the postcard stands on quite a different footing from that of the letters. In the case of postcards, we know that they are used mainly by the poor people. In the case of letters, it may be that the poor people also take advantage

of that means of communication, but in the case of postcards, one would expect that a greater number of them are used by the poor people in this country.

Now, Sir, it has been said that this reduction would cost the Government between 75 and 80 lakhs of rupees, and it has been contended that since this department should be a self-supporting department the proposed reduction is not warranted. So far as this particular question is concerned, I am still not satisfied that the decision of the Honourable Member in charge of the Department is right. I would humbly ask him to tell me what was the character of this department before the year 1922. When the post offices were opened they were run for a good length of time at a loss. In fact, in those days the Government never viewed the Postal Department from the commercial standpoint, as it was to the interest of the Government to see that the post offices were firmly established and the Government allowed those post offices to be run at a loss.

Now, Sir, this is not true only of the post offices, and the same remarks apply to the other departments also. As long as the Government felt that those post offices were not firmly established, they did everything possible to improve them, and the Government never cared to see whether they were run at a loss or they were successful from a commercial point of view.

Now, to-day, I would ask the Honourable Member if the Telegraph Department is a charitable institution. Why does the Telegraph Department take any subsidy from this department or why does this department get the subsidy from the general revenues of the country? The same arguments would apply to the Post Office. I do not see why this system of taking a subsidy should be characterised as charity or as begging. So far as the whole money is concerned it is the money of the Indian nation and if it is used for certain beneficent purposes which this House considers beneficent, there is no reason why that point of view in regard to the beneficence of the object should be disregarded. Take the other allied department, the Indo-European Telegraph Department. Is that a charitable institution or a self-supporting department? I would submit that unless there is something very special in regard to this department, the same may be said about other departments that they should pay for themselves. I do not think that anybody in this House would contend that every department of Government, much less those departments which have something of the characteristics of nation-building departments in them, should be self-supporting. I do not accept the proposition that this department should be self-supporting, with the conclusion to be drawn therefrom that the postal rates cannot be reduced. Leaving that consideration aside, the question arises whether the Postal Department cannot reduce its rates independently of the fact that it does not get any kind of subsidy from the general revenues. To that question also my reply is that the increment in the revenues is not properly taken into consideration which would accrue by an increase in the number of postcards if the postal rates are reduced. I do not say that the increment in income from the increment in the number of letters will be commensurate with the total loss of revenue caused by reduction of postal rates. But still the increment would be quite a decent sum. Apart from that it has been said that any subsidy taken from the general revenues of the country towards the reduction of postal rates can better be employed for purposes educational.

[Pandit Thakurdas Bhargava.]

or other than educational, which add to the nation-building activities of the nation. I have no objection to that. I join with my friend Sir Bhupendra Nath Mitra in asking the Finance Department to contribute more and more to the Education Department and to other departments. I do not quarrel with him on that score. My complaint is that so far as the requirements of this department are concerned, it does not stand to reason that 70 to 80 lakhs cannot be spared from the general revenues of the country for reduction in postal rates. Cheap postal rates, as I have submitted already, do conduce to the formation of certain business habits, to certain liveliness in the people and respectability about them and at the same time they go to constitute and invigorate certain characteristics among the people which are certainly such for which money should be found. Moreover, as has been already pointed out by one of the gentlemen who preceded me when speeches were being made on the other amendment, this increase in postal rates was not the result of the increase in the cost of the working expenses. In fact, it was a war measure and these increases in postal rates should have ended with the war, unless we are in a perpetual war with all things which are good and which conduce to the nation-building activities of this department of the Government of India. I will therefore say that, judged by whatever standard, it stands to reason that the postal rates should be reduced. One argument was advanced by the Honourable Sir Bhupendra Nath Mitra in relation to the question whether such and such a reduction would benefit the poor people more or the rich people more. I submit that this question cannot be raised now because reduction in the price of postcards will go to benefit the poor man. It may be said that it will benefit the middle classes more and that it will not benefit the poorer classes to that extent. Even assuming that argument to be correct, may I ask if the middle classes should not be benefited at all? I do not concede that this argument is sound, but without admitting that this argument is sound, I would submit that bogeys should not be made of the poorer classes. The middle classes of this country have a right to demand that if postal rates can be reduced and they can be benefited it ought to be done in their interests also. As regards the poor man, I think if there are any two things in which his interests can be looked after by the authorities, they are the postal rates and the railway fares. In regard to both these things we find that no reduction is being brought about. I have therefore to complain, as I have complained many a time, that in these matters the viewpoint of the poor man is never taken into consideration. Government trot out the theory that they are the trustees of the people. When the demand is made that they should look after the interests of the poor, the reply is that there is no money. Now, Sir, who has reduced the people of India to this destitution, to this poverty? It is the Government itself and it does not behove Government to give the reply every time a demand is made in the interests of the poor, that they have got no money. I hope the House will carry this amendment and prove that this part of the House feels very strongly on this matter and is out to reduce postal rates in relation to postcards at least.

Mr. B. Das: Sir, the question before the House is how the postal rates can be reduced. I will make a few submissions showing how Government can make a saving in the management of their Postal and

"Telegraph Department and thereby bring about a surplus by which they can give a reduction in postal rates. Sir, last year while this subject was being discussed, my Honourable friend Sir Bhupendra Nath Mitra asked me if I belonged to the trade union of engineers. This year I am not going to touch upon the question of engineers at all or to say that the engineers who are in the Telegraph Department should become Postmasters General in the combined circles, so that there may be a reduction of expenditure in the higher services. I shall rather refer to the recommendations contained in that admirable report of the Committee known as the Ryan Committee, from which I quoted a few passages last year. The Ryan Committee reported in 1924-25 how various savings can be made in the Postal and Telegraph Department, and if their suggestions had been fully carried out, I think there would have been a reduction in expenditure of one crore of rupees.

Sir, I do take into account the successful agitation carried on by my Honourable friend Mr. Joshi and others about giving adequate salaries to the postal employees and I am happy to find that the trust we placed in Sir Bhupendra Nath Mitra and Mr. Sams have given adequate satisfaction to those employees. At present we are concerned how to reduce the postal rates. The Ryan Committee say on this point:

"While this annual saving of the order of 20 lakhs of rupees alone may turn the balance between profit and loss in the account of the department, much more would be saved by the adoption of the Committee's further recommendations to which however no even approximate figures can readily be attached, under such heads as a revision of the cadre of superintendents of post offices on the basis of a review of their territorial charges, the further replacement of departmental telegraph offices by combined offices and a revision of staff on the basis of a more reasonable standard of output by telegraphists."

I will now particularly lay stress on the replacement of departmental telegraph offices by combined offices. This is what the Committee say on page 38 of their report:

"The annual Report of the Posts and Telegraphs of India for the year 1923-24 shows that the conversion of 12 small departmental telegraph offices into combined offices resulted in an annual saving of Rs. 33,696 and the economies that may be expected from a steady prosecution of this policy are therefore very considerable."

I therefore ask my Honourable friend Sir Bhupendra Nath Mitra to introduce this combined system all over the country, which will effect a good deal of saving. Then I find from this report that there are certain telegraph offices which are to be maintained for departmental or political considerations. I do not know why the Telegraph Department should at all exist for political or military considerations. In that case, the extra expenditure should come out of the money allotted to my friend, Mr. Mackworth Young. We should not go on distributing extra expenditure over different departments while it should really fall on the Army Department. One of the recommendations was to abolish station services. I do not see my Honourable friend Colonel Gidney here, but I hope I will not tread upon Colonel Gidney's favourite corn, and in what I say I have the support not only of the Ryan Committee but of another Committee called the Sir Louis Tupper Committee. I will just quote a few passages because this subject has very often cropped up in the discussions in this House, whether the vested interests in the Telegraph Department should be maintained. This extract will show

Mr. President: Will show what?

Mr. B. Das: This will show how a saving can be made in the Postal Department. The Committee say:

"The Committee see no reason to urge a reconsideration of this question. Mr. Barton and Colonel Gidney are willing to let this question lie over for some time, but they would strongly maintain that the proportion should be fixed, namely $\frac{4}{5}$ ths of the cadre, present and future, should always be general service, and should not be less. There are obvious objections to accepting that recommendation. What exact strength under each head will be needed can only be determined after the system, now introduced, has been tried for some years. The proportion of $\frac{4}{5}$ ths and $\frac{1}{5}$ th, as suggested by the Telegraph Committee of 1920, was only a suggestion as an approximate figure to suit existing conditions and protect the interests of men already in the service, both general and local."

The Committee recommended that there are certain vested interests in the Telegraph Department and that those who are in the service at the time should continue in that proportion, but thereafter such special service be abolished and the men will be recruited generally, I mean by the combined system from the postal service. The special service men always get from 25 to 50 per cent. more salary than the postal and telegraph men.

The Honourable Sir Bhupendra Nath Mitra: The Honourable Member's facts are not correct.

Mr. B. Das: I will hear from the Honourable Member later of the difference in the rates of salary of the station service and the postal service. So far nothing has been done to abolish the special service and to abolish vested interests whereby large reductions could be made in the expenses of the Postal Department. I would like to hear from my Honourable friend Sir Bhupendra Nath Mitra how the combined system is working and whether there is a chance of introducing that system on the telegraph side. If Government are able to carry out this part of the programme they will be at least able to make a crore of rupees in savings.

The Honourable Sir Bhupendra Nath Mitra: How do you get the crore?

Mr. B. Das: The Committee say that they cannot estimate what the combined system of post offices will save.

The Honourable Sir Bhupendra Nath Mitra: Will it give another 80 lakhs?

Mr. B. Das: The Honourable Member has got many accountants in the office of his Accountant General. He can put them on to work out all that can be saved by the combined system of post offices and by the other methods such as abolition of special services known as station services and political telegraphists, and by introducing in every divisional circle combined Postmasters General from amongst the Engineers. He will find a very large saving.

Mr. C. Duraiswamy Aiyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): It is rather unfortunate that a most important subject like this concerning the poor should be taken up at the fag end of the day before an impatient House. However, I feel it my duty to say a few words. A few minutes ago the Honourable Sir Bhupendra Nath Mitra was quoting figures in this House as to how he has been increasing post offices by leaps and bounds. But I think this book, a statistical

abstract for British India, is authoritative and I believe the figures are correct. What I find there is that in 1922-23 there were 19,610 post offices. Then the postal rates were increased and next year the number of post offices went down to 19,491. Therefore, Sir, a number of post offices had to be closed because of the fact that postal rates had been increased. If you take the figures for 1916-17, there are 19,409, while 10 years afterwards we find there are 20,108. There has been an increase of only 699 post offices during a space of ten years or an average of sixty and most of them very likely are post offices which are situated in the various parts of the cities. It is therefore clear that ever since the postal rates have increased a number of village post offices have been closed and closed for ever, and that is clear also from the fact that in the establishment of the village postmen we do not find an increase of offices except by thirty. Therefore, Sir, it is perfectly clear that the Honourable Member has deprived a large number of villagers of their village post offices and he counts as a great acquisition to us that he has added many more post offices in the cities: and therefore I beg to submit that far from giving any blessing to the people at large, he has only been helping a few business men in big cities and nothing more than that.

Then, Sir, apart from the doctrine whether the Post Office is to be a department of public utility for which provision must be given from general revenues or not, or whether it should be a purely commercial department, this much is certain that in civilized countries a rule of civilized government is that post offices ought to be within the reach of even the ordinary people, the poor people, considering their means of earning and other things; and now if you from that aspect take the figures of postcards which have been used in the year 1916-17, it was 509,800,270. In 1921-22 the postcards rose to 648,470,932. But the moment that the postal rates were increased, you will find that between 1921-22 and 1925-26 there has been a reduction,—going down from 648,470,932 cards used in 1921-22 to 550,648,307. Therefore it is a clear indication of the fact that one million people were deprived of their means of communication by the price of postcards being raised from a quarter anna to half an anna. It is not that alone. If you take the number of letters—not that I am pressing that question, but I am only showing for the purpose of comparison that even there from 1916-17 to 1921-22 in that quinquennium letters rose from 416,227,827 to 550,539,980. But what has been the result of the increase in the postage? In the next quinquennium from 550,539,980 we have gone down to 485,556,157. That clearly goes to show that both in the matter of letters as well as in the matter of postcards a large number of people were deprived of their means of communication: and if you only take the number of those who were utilising letters formerly and took recourse to writing on cards subsequently, just in the same manner in which when railway fares were raised, the first-class passenger got into the second class and the second class passenger got into the third class, there ought to be an increase of about 80 million more cards: and therefore 180 million people have been deprived of the use of postcards. Now, Sir, is this a sign of civilized government? The Honourable Member has propounded a theory of employer and employees and a theory of commercialization. Now, Sir, with regard to the reduction of the charges for postcards I think the figure which the Honourable Member gave last year was that with a charge of a quarter anna there would be a loss of sixty to seventy lakhs. Now if on the one hand you consider the reduction

[Mr. C. Duraiswamy Aiyangar.]

which has been gradually going on in the number of cards used by the people, and if on the other hand you take the previous pace of increase when the postcards were within the common reach of the poor people, it is not 550 million cards that ought to be used to-day but it should be about 740 million cards that ought to be used.

That is clearly a matter of arithmetic, to take the average of the rise during the period when postcards were within the reach of the people; and in that way, Sir, the loss will be considerably reduced, and I believe the ultimate loss will not be more than about Rs. 20 lakhs if all the other circumstances are kept as they are. But I ask, Sir, if really you want to help the poor as well as make the department commercially not a loser, why does the Honourable Sir Bhupendra Nath Mitra not try to raise the duties upon those who can afford to pay, upon those who indulged in luxuries, upon commercial people, instead of making the ordinary card unavailable for the ordinary poor man? Why should you not raise the postal rates upon newspaper packets? Educated people receive it in order to become more educated; literate people receive it to become more literate, greater politicians, greater social reformers, greater commercial people. Why do you show any concession to the newspaper packets? The reason is very clear. Those constituents of yours are the most talkative. If the postage on newspapers is raised, there will be a hue and cry. The Honourable Member will not face that. These poor people have no voice and therefore it is that you go on raising the burden on the poor people, without affecting in the least those who have got a voice, vociferous people. I submit that there is absolutely no justification for doing this. I know it has been said that all those persons who use cards, the post office, are their employers and these blessed little subordinates of the post office are their employees. We did not see any connection between employers and employees until Sir Bhupendra Nath Mitra placed that revelation before us. Now, Sir, the Retrenchment Committee, Lord Inchcape's Committee, said that in the space of 5 or 10 years the establishment increased only by 17 per cent. whereas the cost of the establishment increased by 118 per cent. Is it not because the employee took his own pay according to his own whims and fancies without any regard to the employer? And what relationship is there between such employers and such employees in a matter like that? If I were really the employer I would curtail expenditure. I would not allow it to go up to 118 per cent. when the establishment rose only by 17 per cent. I will not make the administration top-heavy and pay higher salaries and luxuries to the higher officers and demand the cost from people who use cards. Therefore, there is no use of that argument. As to the great services rendered by the Post Office, take a small country like Japan, which is not even one-fourth of our country; they maintain 8,400 post offices; they distribute 2,650 millions of postcards alone irrespective of other letters and they charge four pies or $1\frac{1}{2}$ yens per card. In a small country they are rendering very great service. In a vast country like this, you are having perhaps 20,000 post offices, and with this large area the pride of the Honourable Member was that the department was rendering enormous service to the people, and he said that all should sympathise with him by paying much more for this establishment. Sir, he has not placed a single point before us to justify his making cards inaccessible to the ordinary poor people. That is the only means of communication to those people. If people in the village are not literate, there

is no use in putting a post office there, says the Honourable Member. Sir, in spite of the benediction of the British administration for the last one and a half centuries, there is at least one man literate in every village, and if you keep a post office, that man will be resorted to for writing letters. Why do you deprive him of even that privilege? I beg to submit, therefore, that this is a matter which ought to be taken into consideration seriously so far as the poor people are concerned. That is my cry. I have not said a single word on behalf of the rich people who can afford more. Let the insurance charges be raised; let the foreign postage be raised; let the telegraph charges be raised, if necessary, let the registration charges be also raised. I do not mind all that, but let there be at least one thing that is secure to the poor man. Let those who hold correspondence with foreign countries, from this country with America, or England and so on, let them pay double or treble the rate that they pay now; they get lots of money as the result of the correspondence by their business. You ask the poor man, who has to invite relations for his marriage, who has to write from one village to another village to his relation, to pay half an anna for a small card. I therefore appeal, Sir, to the Members of this House that at least this much may be done this year that the postcard may be restored without disturbing any other arrangement of the Postal Department. I am sure if the Honourable Sir Bhupendra Nath Mitra and the Honourable Sir Basil Blackett will be closeted in one room for five minutes, they will be able to find this money.

***Mr. M. K. Acharya** (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I do not want to make a long speech but I do want to make a strong appeal, and I hope the fewer my words the stronger shall be my appeal. My friends have already taken great pains to show the various ways in which any reduction in the rates of postcards will be made up. I dare say the Honourable Members there will have listened to these various suggestions with great care. I shall leave that question to be settled between the statisticians here and the Honourable Members over there. As I said, I just want to make a very humble appeal to the Honourable Sir Bhupendra Nath Mitra and the Honourable Sir Basil Blackett. In any case, this year the Budget has been described as a surplus budget, and I do appeal to Sir Basil Blackett, before he leaves India, to confer some small benefit on the largest class of people of this country who, as my friend has pointed out are the users of postcards. It is not, after all, taking a very great risk with his Budget. My friends have pointed out that the net increase, after allowing for the increase in the number of postcards that will be used, may only be about 20 or 30 or even 40 lakhs. So, in a Budget of 132 crores. it may be possible to find the ways and means for incurring a risk of 40 or 50 lakhs. That is all I have got to say, and I do not want to make a long speech at this late hour. But I do appeal very strongly both to Sir Bhupendra Nath Mitra and to Sir Basil Blackett in particular that if he does so, he will leave his name behind him on the lips of the poor man in the village as the person who reduced the half anna postcard to the quarter anna postcard.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, there is a world of difference between letters and postcards. Letters are used by the rich and middle class people and sometimes also by the poor people but the postcards are used chiefly by the poorest class of people. Take, for instance, the villagers, who are

[Khan Bahadur Sarfaraz Hussain Khan.]

mostly agriculturists. Sometimes they go to the industrial places and also to the towns and it is these people who, for their own purposes, send small messages in connection with births, deaths, marriages and other such things. Naturally, their messages do not occupy much space and therefore they use only postcards. But how can they do it if you raise the rate of the postcard? So I maintain that they have been deprived of the right of communication. They are, Sir, very poor and to them one pice is something more than a rupee is to a well-to-do man. Therefore, having regard to the poverty of the masses, I appeal to the Member-in-Charge and also to the House that the amendment which we are discussing should be accepted.

Kumar Ganganand Sinha (Bhagalpur, Purnea and the Santhal Parganas: Non-Muhammadan): Sir, I have listened with very great attention to the speech of the Honourable Member-in-charge of the Department of Industries and Labour detailing the case which he has made out against the reduction of the postal rate. We are told that if the postal rates are reduced, either we shall have no expansion in the direction of post offices, or we shall starve the lower subordinate employees. My point is that so long as he is having this top-heavy administration we shall have nothing and he should not expect us to grant him even a pie.

I have taken pains to ascertain to what extent the administration is top-heavy. I find that in the United Kingdom, the pay of the Postmaster General, who is evidently the highest postal official, amounts to £2,500, which comes to about Rs. 2,812, in round figures, per month: but here, we have not only got the Postmaster General but also, over and above him, the Director General and Assistant Director General and many others with pay varying from Rs. 3,500 a month to say about Rs. 1,500. I mean only the top posts in the Post and Telegraph Department.

I was looking into this brown book and I found that under the head "Direction, Sub-head C-I," you have the Director General, Financial Adviser, Director of Establishment, Superintendent of Secretariat, and Officer on Special Duty. The amount allotted for them was Rs. 94,800 out of a total of general charges of Rs. 2,93,000. Over and above this, there is payment on account of medical treatment of British officers of the superior service amounting to Rs. 1,000, and the cost of passages amounting to Rs. 1,200, which will make the amount available to Superior officers something like Rs. 97,000. Below them there are 114 subordinate employees who have to share the remaining Rs. 1,96,300. In the same way in the Telegraph and Telephone joint charges a dozen superior service men, *viz.*, the Chief Engineer, Officer on Special duty, 3 Electrical Engineers, 5 Assistant and Deputy Assistant Electricians, and one Officer on Special Duty, have Rs. 1,24,600 out of a total of Rs. 3,14,000 under that head, and approximately the balance, Rs. 1,15,000, will be distributed among 55 subordinate employees. This is the way of spending money.

And now we have to see what is the proportion between the pay of these highly paid officers and the pay of the lower grade employees, for whom I am sure the Honourable Member has got a very soft corner, to find out where does the money of the postal revenues really go.

Mr. President: All this would be quite relevant on the occasion of the general discussion of the Budget; it is not relevant on this occasion.

Kumar Gangahand Sinha: What I was going to show is this: that so long as this top-heavy administration continues and so long as no step is taken to reduce this expensive administration, the Honourable Member will always be hard up for money and it will not be possible for him to spare it either for the reduction of these rates or for adequately helping the lower grade employees. That is the point I was making.

Mr. President: The Honourable Member is quite right in making that general statement, but he cannot go into minute details at this stage.

Kumar Gangahand Sinha: If I have established that point, Sir, I shall resume my seat. I do not want to tire the House further at the fag end of the day.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): Sir, at this late hour of the day I do not propose to trouble the House with a long speech. I shall be as brief as possible, considering that this subject has been threshed out in this House, not once or twice, but from year to year; and the Government has been turning a deaf ear to this proposal, like our many other proposals. But in this matter I specially appeal because at the present moment, the gentleman who happens to be at the helm of affairs is a countryman of ours and his sympathies with his fellow-countrymen are well known. I shall not, I think, be appealing in vain when I say that the reduction of the price of postcards from half an anna to one pice is a thing which is demanded by thirty-three crores of people of India, excepting those perhaps whom the Government may threaten by saying "If you ask for a reduction in the price of the postcard, then the prospects of increment of pay and salary will be far off." But I beg to remind the Honourable Member in charge of the Department that such people form an infinitesimally small fraction of the population of India. Really, Sir, when we are pleading for the one pice postcard, we are pleading for the poorest in the land. I think that we who can afford the burden of this additional postage rate should not turn a deaf ear to the appeals of the groaning poor whose relations live in distant parts of India and who cannot send even four cards in a month owing to the rise in prices. It might seem to those people drawing lakhs of rupees a year at the Bar and from their professions that this is only a matter of one or two pice: why should you fight for this? But, Sir, what is the value of a pice to a poor tiller of the soil should be appreciated and can be appreciated only by those who happen to live in villages like myself. I have seen the poorest in the land: I come from a remote village in a mufassil district of Bengal, and I know the condition of things there. I know of poor widows whose income does not exceed, say, two or three rupees a month having their children in a district town or in Calcutta being educated by charity there; she does not receive a letter from her son even once a month owing to this rate. The value of one pice will be realised if you remember that this one pice can supply tiffin for this poor boy at least for one afternoon and sometimes they have to forego this tiffin also. I am not drawing all these pictures from my imagination. I have seen scenes of appalling poverty which will terrify not only those who come from distant lands—like the Finance Member—but will terrify men like my Honourable friend who happens to be a countryman of ours and lives in

[Mr. Amar Nath Dutt.]

the metropolis of Calcutta. I will not bore the House by repeating all those arguments which have been adduced here more than once; neither shall I bore the House by quoting large figures; but at the same time I shall make one more fervent appeal to every one here who has any feeling for the poorest in the land, be they Indian or be they people of other countries, to reduce the postage rate of at least the postcard from half an anna to one pice. I do not wish to take up the time of the House any further and I hope that the Honourable Member will accept this and will not threaten us by saying that this will take away all the prospects of the improvement of service of the postal employees. But you will please realise one thing that those people about whom we are speaking and whom we call poor, because we ourselves are a little above them, are drawing Rs. 100 or Rs. 50 or Rs. 60 per month, but you do not know that they are the richest people in the Bengal villages. In fact, if you go through half a dozen villages you will hardly find people whose income exceeds a hundred rupees per month. That being the state of affairs in our country, I hope my Honourable friend will not say anything about the poorest in the land. By the poorest in the land I do not mean even his postal-peons who are far better off than the village Gomastas and teachers because they draw Rs. 20 or Rs. 25 or Rs. 30 a month. I know that graduates hunt after jobs worth Rs. 20 a month and they don't get even that. Even in this Imperial City of Delhi I have seen graduates going about from office to office for getting employment on at least Rs. 40 a month. But I think we should call them gentlemen as also those who are matriculates and do not get jobs even worth Rs. 10 and Rs. 15 a month, and these postal-peons must be classed with those who get Rs. 20 or Rs. 30 per month. Sir, I am here pleading for a class far poorer than that, and even if you take the case of people whose income is more than Rs. 10 per month, I think their number will not exceed one million, in fact the majority of the people have only an income of less than Rs. 10 per month. Sir, I am pleading on behalf of that class of people whose income is less than even Rs. 10 per month, and I ask you that you should reduce your rates in their interest at least, because in these days everybody has to send his boys or wards to a distant place for their education, and a postcard once a week, if not twice, means much for them at the present rate. If you will imagine in your mind the dismal picture of poverty which I have drawn, then I have no hesitation in saying that you will reduce the postal rates and that you will not advance the argument that the department will suffer a loss, and so forth. Sir, it is not the principle of any civilised administration to charge for communications; in fact it is the duty of every Government to improve the means of communication without throwing an extra burden on the tax-payer. I therefore most fervently appeal to the Government to reduce the price of the postcards at least.

(Several Honourable Members moved that the question be put.)

The Honourable Sir Bhupendra Nath Mitra: Sir, it is a matter of deep regret to me that though year after year on the debate for the reduction of postal rates I have tried my best to meet various arguments adduced by my friends on the opposite side, my friends do not care to pay any heed to those arguments, nor do they care later on even to read them in the published debates of this House. For, if they had been kind enough to

show me even that amount of consideration, much of the misunderstanding and heat generated in this House on the present occasion would have been avoided. For example, my friend Sir Purshotamdas Thakurdas accused me of, what shall I say, having walked into the parlour of my friend Sir Basil Blackett and made a present of Rs. 50 lakhs or so to him. Sir, that question of the interest charges is a matter which was examined by the Public Accounts Committee in connection with the accounts for the year 1924-25; and the Public Accounts Committee blessed the arrangements now in force. I referred to their decision when dealing with this question of the reduction of postal rates last year, but unfortunately my remarks have passed unheeded. Then again the old argument has been used that there was a large drop in the number of postcards used because we have raised the postal rates. I think my friend Mr. Duraiswamy Aiyangar went so far as to say that that measure has prevented 100 millions of the inhabitants of India from writing any postcard at all. Well, Sir, that is probably a slight exaggeration, as the total literate population of India is in the neighbourhood of 22 millions only. Last year I dealt in full with the reasons for that large drop in the number of postcards. That drop was due to the slackness of business which supervened on the trade boom which followed the Armistice; and the experience of other countries in the world has more or less been the same. Further I pointed out on that occasion that it is not a fact that there has been a continuous reduction in the number of postcards carried from year to year. After that large drop following the phenomenal slump in business there has been a steady rise in the number of postcards conveyed. I believe that the average rise in the last four years has been in the neighbourhood of 9 millions a year. Mr. Duraiswamy Aiyangar also said that by the end of 1923-24 there was an actual reduction in the number of our post offices. That is obviously explained by the operations of the Incheape Committee. He probably did not listen to what I said about the growth in the number of post offices in the last 3 or 4 years. It is hardly necessary for me to repeat those figures. My position in this matter, Sir, is substantially the same as it was in regard to the previous motions. We cannot possibly agree that the post office should play the part of a benevolent institution in this matter. That part of my argument, I believe, has already been accepted by several of the Honourable Members opposite. Mr. Birla, I think, in particular said he did not want the Postal Department to be run at a loss. Nor do I admit, as I have explained on previous occasions, that the poor man is really hit by the rate charged on the postcard. My friend Mr. Joshi, who is probably an expert on the subject, has already subscribed to that statement several times on the floor of this House, and it would be possible for me to quote many other Members including, I believe, the late Mr. Harchandrai Vishindas, who were also prepared to subscribe to that statement. I am very sorry for the poor people on whose behalf my friend Mr. Amar Nath Dutt and my friend Mr. Acharya made an appeal to me. But, Sir, if it had been possible for me to provide any effective remedy to that appeal, I should have made the postcard free. I should not have charged even the quarter anna. But unfortunately that is not a feasible proposition, because, if I did that, I should be simply robbing Peter to pay Paul. I rather prefer to look upon the Postal and Telegraph Department in the light of an institution which caters for certain services for the public and which levies certain fees which enables it to meet those charges. It is quite possible that on a year's working there may be a small profit.

[Sir Bhupendra Nath Mitra.]

or a small loss. That cannot be avoided. If, however, there is a steady profit after meeting all requirements for development or for keeping the staff in a reasonable state of contentment, obviously it would be incumbent on Government to consider the question of a reduction of rates. On the

6 P.M. other hand, if there is a steady loss Government will be compelled to consider the question of increasing the rates. As matters stand now, the reduction of the postcard rate from two pice to one pice will cost the department something like Rs. 90 lakhs or one crore. I gave the estimate last year, and in giving the estimate I fully dealt with the factor about increase in traffic. There may be an increase in traffic, but there will be a consequential increase in expenditure which will certainly swallow up the increased revenue, if it does not exceed the growth in revenue.

Mr. M. S. Aney: Will the Honourable Member give us a rough estimate of that?

The Honourable Sir Bhupendra Nath Mitra: I believe I gave some figures last year. I do not propose to be dogmatic in the matter. It is the experience all over the world. Quite recently I was reading a book, called the "Post Office", by Sir Evelyn Murray, who has been the Secretary to the Post Office in England since the year 1914. That book deals on page 29 with this particular matter, whether a reduction in the postage rate in England, for example, to the pre-war level, would result immediately in an increase in the traffic conveyed. This is what he says:

"With booming trade an increase on this scale"

—that is, on a scale sufficient to wipe out the initial loss—

"might perhaps be achieved in ten years, but certainly not in one, and in any case it would entail a heavy increase of expenditure which the enthusiasts conveniently overlook."

That, Sir, is the position. It is not necessary for me to dilate further on the subject, because I dealt with the matter in full while speaking on this subject about this time last year. If my Honourable friends will refer to my previous speeches they will find all the arguments and many relevant figures. That is my position. I have not got the money, and therefore in spite of the appeals to me, I am compelled with great reluctance not to be able to accept this proposition about the reduction of the postcard rate to one pice.

Mr. President: The question is:

"That in Schedule I to the Bill in the proposed First Schedule to the Indian Post Office Act, 1898, for the entries under the head 'Postcards' the following be substituted:

'Single	...	...	...	Quarter of an anna.
Reply	..	...	...	Half an anna'."

The Assembly divided.

(During progress of the Division.)

Mr. President: The Honourable Member (Mr. Yusuf Imam) wants to record his vote now. As he did not care to go into the lobby in proper time, I will not allow him to vote at this stage.

AYES—35.

Abdoola Haroon, Haji.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Badi-uz-Zaman, Maulvi.
 Bhargava, Pandit Thakur Das.
 Chunder, Mr. Nrmal Chunder.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra
 Gulab Singh, Sardar.
 Iyengar, Mr. S. Srinivasa.
 Jogiah, Mr. Varahagiri Venkata.
 Kartar Singh, Sardar.
 Kidwai, Mr. Rafi Ahmad.
 Lahiri Chaudhury, Mr. Dhirendra
 Kanta.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.

Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Neogy, Mr. K. C.
 Ranga Iyer, Mr. C. S.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Narayan Prasad.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.

NOES—47

Abdul Aziz, Khan Bahadur Mian.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil
 Bray, Sir Denys.
 Chatterji, Rai Bahadur B. M.
 Coatsman, Mr. J.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Ghazanfar Ali Khan, Raja.
 Ghuznavi, Mr. A. H.
 Graham, Mr. L.
 Irwin, Mr. C. J.
 Joshi, Mr. N. M.

Jowahir Singh, Sardar Bahadur
 Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji
 Chaudhury.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Sams, Mr. H. A.
 Sassoon, Sir Victor.
 Shah Nawaz, Mian Mohammad.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yakub, Maulvi Muhammad.
 Young, Mr. G. M.

The motion was negatived.

Mr. President: I take it no Honourable Member wishes to move any further amendment in respect of the rate for postcards.

Raja Raghunandan Prasad Singh, No. 26. (The Honourable Member was not present). Rai Sahib Harbilas Sarda (The Honourable Member was not present). Mr. Muktar Singh, No. 29.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Sir, I beg to move:

"Then in Part I of Schedule II to the Bill the following be added to entry A (1):

'But in case of a joint Hindu family when the total income is less than Rs. 5,000—
Nil.'

and consequential amendments, be made in A (2)."

And if this amendment fails,

"That in Part I of Schedule II to the Bill the following be added to entry A (1): . . . "

Mr. President: Order, order. The Honourable Member cannot move all the alternative amendments simultaneously. He must take them one by one.

Mr. Mukhtar Singh: We know, Sir, that this point has been raised several times in this House, that the members of a Hindu joint family are penalized by the Income-tax Act simply because they happen to be members of a Hindu joint family. The Government has been pleased to recognize the principle that the income-tax levied on the joint Hindu family should be levied on a higher scale than on ordinary persons in the case of super-tax, but they have not realized this principle in the case of ordinary income-tax. I ask, Sir, that when the justice of this case has been recognized in the case of super-tax, why should it not be recognized in the case of ordinary income-tax. The very fact that the Government has been pleased to recognize this factor in the case of super-tax clearly shows that a good case has been made out. But on account of certain other reasons best known to themselves they have not acceded to this principle in the case of ordinary income-tax. We find, Sir, that in the case of those gentlemen who are not members of a Hindu joint family, they can very well pay a much lower income-tax or may not pay any income-tax at all, if they happen to be the members of a Muhammadan family or a Christian family, though all the members may be . . .

Mr. President: Order, order. I understand that our Muhammadan colleagues want to break their fast? (*Honourable Members:* "Yes.")

The House stands adjourned till to-morrow morning; eleven o'clock.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 17th March, 1928.

LEGISLATIVE ASSEMBLY.

Saturday, 17th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

REPRESENTATION OF MUSLIMS IN THE CENTRAL PRINTING OFFICE.

437. ***Mr. Abdul Haye:** (a) With reference to the Honourable Sir Bhupendra Nath Mitra's reply to my starred question No. 972 of 13th September, 1927, will Government please state whether the remaining appointments have since been filled up?

(b) If so, how many of them have been offered to Hindus, Muslims and Christians separately?

(c) Is there no suitable Muslim available outside or inside the Department for the post of Superintendent?

The Honourable Sir Bhupendra Nath Mitra: (a) No posts have been filled up since September 1927. Those referred to by the Honourable Member were filled up before that date by men already serving in the Central Printing Office.

(b) Does not arise.

(c) There was no suitable Muslim available when the post of Superintendent was filled up.

REPRESENTATION OF MUSLIMS IN THE OFFICE OF THE DIRECTOR-GENERAL OF POSTS AND TELEGRAPHS.

438. ***Mr. Abdul Haye:** (a) With reference to the Honourable Sir Bhupendra Nath Mitra's reply to my starred question No. 971, dated 13th September, 1927, will Government please state what further steps have since been taken to make the representation of Muslims adequate in this office?

(b) Is it a fact that there is no Muslim in gazetted appointments in this office?

The Honourable Sir Bhupendra Nath Mitra: (a) A copy of the letter issued by the Director General on the subject of recruitment to clerical establishments is being supplied to the Honourable Member. These orders apply also to the office of the Director General.

(b) Yes.

REPRESENTATION OF MUSLIMS IN THE OFFICE OF THE CONTROLLER, PRINTING, STATIONERY AND STAMPS.

439. ***Mr. Abdul Haye:** With reference to the Honourable Sir Bhupendra Nath Mitra's reply to my starred question No. 973, dated 13th September,

1927, will Government please state whether any Muslim has since been appointed in the office of the Controller, Printing, Stationery and Stamps? If so, how many and in what grade?

The Honourable Sir Bhupendra Nath Mitra: No. There has been no further vacancy in the office and consequently no fresh recruitment.

GRADATION LIST OF THE CLERICAL ESTABLISHMENT OF THE GOVERNMENT OF INDIA PRESS, DELHI.

440. ***Mr. Abdul Haye:** (a) With reference to the reply given by the Honourable Sir Bhupendra Nath Mitra to my starred question No. 974, dated 13th September, 1927, will Government please state:

(i) What is the total number of posts in the clerical establishment of the Government of India Press, Delhi,

(ii) Whether there is any printed gradation list of the Press establishment showing the information asked for in clause (i) of my question referred to above?

(b) If the answer to (ii) above is in the affirmative, will Government please lay it on the table?

(c) If the answer is in the negative, will Government please state why, like other Government offices, a gradation list is not maintained in the Press?

(d) How many days' labour of one clerk is required for preparing the required list?

(e) How many posts of clerks, both temporary and permanent, were filled up in this Press in 1927 and how many of them were given to Muslims?

The Honourable Sir Bhupendra Nath Mitra: (a) (i) 38.

(ii) No.

(b) Does not arise.

(c) It has so far not been considered necessary to print a gradation list.

(d) It is not possible to estimate the time it would take, as many records would have to be examined.

(e) Three posts of assistants and three of clerks. No Muslims were appointed to any of the appointments of the former class for the reasons given in part (d) of the reply to the Honourable Member's question No. 975 on the 13th September 1927. Of the latter, one was given to a Muslim.

DISCONTENT AMONG THE MUSLIM EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, DELHI.

441. ***Mr. Abdul Haye:** With reference to the Honourable Sir Bhupendra Nath Mitra's reply to my starred question No. 975, dated 13th September, 1927, will Government please furnish the following further information:

(a) Whether the services of the employees of different Government Presses are not liable to inter-departmental transfers?

- (b) If the answer is in the affirmative, whether it is not possible to transfer an eligible Muslim from any other Government Press to the Government of India Press, Delhi, in one of the posts in the higher scales, *viz.*, Assistant Manager, Head Assistant and Accountant?
- (c) What are the qualifications of the four non-Muslims appointed in the scale of Rs. 80 to Rs. 140?
- (d) Whether no Muslim candidate from outside possessed the same qualifications as those possessed by the four non-Muslims?
- (e) Whether any suitable Muslim was not available from any other Government Press to discharge the duties of any of those four posts satisfactorily?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, when in the interest of the service.

(b) Qualified men from other Presses were considered at the time the appointments were made.

(c) One B. Com., two B.A.'s and one with special qualification as a computer.

(d) The Honourable Member is referred to the reply given by me to part (d) of his question No. 975 on the 13th September 1927.

(e) Although the posts were widely advertised no application was received from a Muslim employed in other Government Presses.

MUSLIM READERS IN THE GOVERNMENT OF INDIA PRESS, DELHI.

442. ***Mr. Abdul Haya:** Will Government please furnish a statement showing the total number of posts of readers sanctioned for the Government Press, Delhi, and how many of them are occupied by Muslims?

The Honourable Sir Bhupendra Nath Mitra: There are 23 posts of readers out of which 4 are held by Muslims.

ADEQUATE REPRESENTATION OF MUSLIMS IN THE INDIAN STORES DEPARTMENT.

443. ***Mr. Abdul Haya:** With reference to the Honourable Sir Bhupendra Nath Mitra's reply to my question No. 999 of 13th September, 1927, will Government please state:

- (a) Whether any subsequent appointments have been made in the gazetted posts in the Indian Stores Department? If so, whether any Muslim has been taken?
- (b) Whether the claims of Muslims are being duly considered in further recruitment of subordinates and clerks in this Department?

The Honourable Sir Bhupendra Nath Mitra: (a) Five officers have been selected in India for gazetted posts in the Indian Stores Department since the Honourable Member's starred question No. 999 was answered in September last. None of these is a Muslim. Four of the officers were selected through the Public Service Commission and the fifth had been specially

trained in Metallurgy in England with the help of a Government scholarship.

(b) Yes.

REPRESENTATION OF MUSLIMS IN THE NORTH WESTERN RAILWAY.

444. *Mr. Abdul Haye: (a) With reference to Mr. A. A. L. Parsons' reply to my starred question 1002 of 13th September, 1927, are Government prepared to collect and furnish the required information now in the public interest? If not, why not?

(b) How many Controllers and Assistant Controllers of Stores are there on the North Western Railway and how many of them are Muslims?

(c) Is it a fact that the appointment of Controllers and Assistant Controllers are made by nomination?

(d) If so, what steps have been taken by the Government to ensure that Muslims get their proper share in this branch of the service?

(e) How many Assistant Engineers, Head Clerks of Divisional Offices and Establishment Clerks are there on the North Western Railway and how many of them are Muslims?

(f) Have Government taken steps to recruit Muslims for these important posts of Head Clerks and Establishment Clerks?

Mr. A. A. L. Parsons: (a) I regret that it is not considered in the public interest to give the details relating to the communal composition of individual clerical offices or posts, for which the Honourable Member asked in his previous question.

(b) There is one Controller, and four Assistant Controllers of Stores on the North Western Railway. None of them are Muslims.

(c) and (d). Direct recruitment to the superior Stores Department has been discontinued, and recruits are now obtained by the transfer of suitable officers from the Civil and Mechanical Engineering Departments. Muslims in these Departments, if found suitable, have an equal chance of appointment.

(e) The information as regards Assistant Engineers is contained in the classified list of State Railway establishment, a copy of which is in the Library. No information is available as regards the subordinate personnel.

(f) The policy of Government with regard to the representation of minority communities has been communicated to the North Western Railway administration, and Government have no reason to believe that it is not being carried out.

Nawab Sir Sahibzada Abdul Qaiyum: Will the Honourable Member kindly explain what he means by the term "suitable candidates"?

Mr. A. A. L. Parsons: By the term "suitable candidates" is meant those candidates who are able to perform the duties of the posts to which they might be appointed.

Nawab Sir Sahibzada Abdul Qaiyum: May I know what educational or University qualifications constitute that suitability?

Mr. A. A. L. Parsons: As I explained in my answer to the question, we take recruits for the superior Stores Department now from officers who are already in the Civil and Mechanical Engineering Departments. If

their work in those departments shows that they are suitable for the Stores Department, they are, when vacancies occur, given a chance of transfer to the Stores Department.

Maulvi Muhammad Yakub: Will the Government be pleased to inquire whether the communiqué issued about the representation of minority communities in the services has actually been carried into effect?

Mr. A. A. L. Parsons: I do not think a separate inquiry is necessary. We obtain, as the Honourable Member is probably aware, detailed statistics of communal representation not in individual offices but on Railways as a whole every year, and from those statistics it is possible to judge whether Railways are giving effect to the policy of Government or not.

Maulvi Muhammad Yakub: Judging from the statement which was made on the floor of this House by Colonel Gidney the other day that out of thousands of vacancies that occur, only a very few are given to the Mussalmans, has not a sufficient case been made out for making an inquiry in this direction?

Mr. A. A. L. Parsons: I do not think so, Sir.

Nawab Sir Sahibzada Abdul Qaiyum: May I ask, Sir, if the numerous questions put in this House from day to day have had any effect on improving the position of Mussalmans in the Services? If not, will Government kindly take steps to meet the situation so that we may be spared the necessity of putting these questions and undergoing worries.

Mr. K. Ahmed: In view of the fact that on the Eastern Bengal Railway some of the officers who are responsible for appointing these clerks in the railway service are under prosecution for taking bribes—may I tell the Honourable Member that thousands of rupees have been misappropriated from the salary of these clerks.

Mr. President: Order, order. Questions are intended for seeking information and not for giving it.

DEPARTMENTAL PROMOTIONS IN THE MINISTERIAL SERVICE OF THE INDIAN AUDIT AND ACCOUNTS DEPARTMENT, ETC.

445. ***Mr. Abdul Haye:** (a) With reference to the last portion of the Honourable the Finance Member's reply to my starred questions Nos. 993-998, dated the 13th September, 1927, are Government now prepared to furnish the particulars with regard to appointments made by direct recruitment? If not, when can this information be furnished?

(b) Are such statistics collected by the Finance Department, and if so, what is the trouble in laying them on the table?

(c) Will the Honourable the Finance Member kindly state the measures which the Government of India have adopted to satisfy themselves that the claims of the Muslim community in the ministerial service of the Indian Audit and Accounts Department (Civil and Military) are not ignored in making departmental promotions?

(d) Are the promotions from lower to higher grades or scales of pay subject to passing the departmental examinations not treated as fresh recruitment for the purpose of the Government instructions issued in February, 1926? If not, why?

(e) Are Government prepared to furnish now the necessary information regarding the total number of promotions given from lower to upper grades up to 31st December, 1927, as asked for in my question No. 933 (d) of 13th September, 1927?

(f) If the information is not readily available, will the Honourable the Finance Member kindly state the approximate number of posts filled in by promotions and the approximate number of them given to Muslims?

(g) Will the Honourable the Finance Member furnish now the information asked for in my question No. 996 (b) of 13th September, 1927?

(h) Have Government ever made any official enquiry regarding the matter referred to in my question No. 997 of 13th September, 1927? If not, whether Government are prepared to make such enquiry now?

The Honourable Sir Basil Blackett: (a) and (b). In my reply given on the 13th September 1927 I indicated that the Government then considered it premature to collect statistics until the instructions to which my Honourable friend had referred had been in operation a little longer. The Government of India now think that the time has come when information may usefully be collected, and they will arrange for this so that the statistics may be reviewed and available for publication by next autumn.

(c) As I stated in my reply given on the 13th September 1927, departmental promotions must always be regulated by considerations of seniority and merit. Necessarily therefore the Government of India do not propose to take steps to ensure that communal considerations should enter into the matter.

(d) The answer is in the negative. There is no reason why promotions of certain kinds should be treated as direct recruitment.

(e), (f) and (g). As stated in my reply of the 13th September 1927, no useful purpose would be served by collecting the detailed information asked for by the Honourable Member regarding the appointments made by promotion, since the instructions of February 1926 do not apply to promotions.

(h) The answer is in the negative. If the Honourable Member will communicate to me the facts of any concrete case (and I hope that he and other Members will assist the Government by freely bringing to their notice any cases of the kind indicated) I shall be glad to consider them.

MONEY DUE TO THE MUSSALMANS OF DELHI ON ACCOUNT OF COMPENSATION FOR THE ACQUISITION OF CERTAIN PROPERTY.

446. ***Maulvi Muhammad Yakub:** (a) Is it a fact that a sum of Rs. 19,000 or more was deposited with the District Judge of Delhi on account of compensation for some buildings due to the Musalmans of Delhi?

(b) Is it also a fact that the amount mentioned above was not claimed by any Musalman?

(c) Will the Government be pleased to state if they are willing to hand over that money to the managing body of the Anglo-Arabic College at Delhi?

The Honourable Mr. J. Crerar: (a) Yes. The exact sum is Rs. 29,612-8-8.

(b) The amount has never been claimed by any individual, but certain bodies have from time to time tried to obtain payment from it for general purposes affecting the Muhammadan community.

(c) Government will be glad to consider any scheme of the kind.

UNSTARRED QUESTION AND ANSWER.

MOVE OF THE GOVERNMENT OF INDIA TO SIMLA.

400. **Mr. C. S. Ranga Iyer:** (a) Has the attention of the Government been drawn to an article in the *Pioneer* of March 4th, under the heading "Government's move to Simla"?

(b) Is it a fact that the Government of India will stay down in New Delhi till April 15th of this year?

(c) Do the Government propose to observe this as a precedent henceforward? If not, why not?

(d) Is it a fact that one of the difficulties is that most of the residential bungalows are not suitable for occupation in the warm weather? Are there other difficulties? If so, what are they?

(e) Do the Government contemplate to reduce the number of officials, officers and departments migrating to Simla? If not, why not? If yes, what is the nature of the reduction in migration contemplated?

The Honourable Mr. J. Crerar: (a) I have seen the article in question.

(b) The offices of the Government of India will close in Delhi on the 14th April this year.

(c) The question of extending the present duration of the Government of India's stay in New Delhi as a permanent measure is under consideration.

(d) Most of the dwelling houses have been designed for occupation all the year round and a very large number of the houses are actually occupied throughout the year.

(e) Government have already effected a substantial reduction in the number of their officers and clerks who used to move to Simla before. I would refer the Honourable Member to the answer given by me on the 15th February 1928 to Mr. Kelkar's unstarred question No. 93.

THE INDIAN FINANCE BILL—contd.

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): Sir, yesterday when I was developing the argument that an iniquitous distinction exists between the members of a Hindu joint family and the members of other families who also live joint but who happen to belong to other faiths than Hindus, the Assembly adjourned till to-day. I shall try to make my argument clear by giving you a few instances. Suppose there are five gentlemen who are coparceners of a Hindu joint family living

[Mr. Mukhtar Singh.]

together. All the five are employed in the Railway Department, one at Calcutta, the second at Bombay, the third at Lahore, the fourth at Meerut, and the fifth at Delhi. Each of them draws Rs. 35 a month. None of them, if separately taken, will be asked to pay income-tax as the income of each member falls short of Rs. 2,000. But when the income of all the five members is taken together, it comes to more than Rs. 2,000, and the family has to pay income-tax. Do you consider that a member of a Hindu joint family getting a salary of Rs. 35 a month should be taxed? If you take the extreme case of only two members of a Hindu joint family living together you will have to levy a tax on the members of the undivided family, though the income of each does not exceed Rs. 80 a month. It is not seldom, Sir, that the members of a joint Hindu family on account of the nature of the business by which they earn their livelihood have to live at different places and incur expenditure for food and lodging separately. The family is rightly speaking a separated family, but it is not an undivided family. In that case the amount of Rs. 80 a month in the extreme case that I have quoted above will not be sufficient to support the family of each of the members separately, and it will be quite unjust and unfair to tax such a family. Though technically speaking as the joint property derived from the ancestors may be joint, or the savings, if any, may be joint, but the expenditure incurred by each member being separate the family is very hard hit. The injustice of the measure is self-evident where the members of the family had to live at different places on account of Government or private service, or on account of doing business at different places. Do you consider it to be fair and just that the two brothers earning Rs. 80 each living in reality separate from the other on account of the employment in service or business but being a member of a Hindu joint family should pay an income-tax on their joint income? But it will be unreasonable to suppose that a Hindu joint family always consists of two members only. If the number of members be increased to three, the income of each earning member will be reduced to Rs. 58 only. If they are four, to Rs. 43 only, and if there are five it will be reduced to Rs. 34 only. We know of families in which the number of members of a Hindu joint family exceed even a dozen. Conceive the case of such a big family, and the absurdity of the principle of levying an income-tax will be apparent as in that case the income of each earning member will be as low as Rs. 15 a month, or 8 annas a day. To give you another case, Sir, suppose there is a father who is employed in Government employ getting Rs. 150 a month. He pays no income-tax. Mind you, Sir, that in this system of Government for an Indian to get a post carrying an emolument of Rs. 150 a month is a rarity, and this amount is reached after a service of 20 years' hard labour by an ordinary employee. Suppose, Sir, he has got a grown up son, whom he has succeeded by the help of daily knocking at the door of his superiors to secure a job of Rs. 25 a month at a place far distant from the one where he is himself living. As soon as the son gets this prize post of Rs. 25 a month, the income-tax officer comes to the father and demands the income-tax. These few instances that I have given are not rare and imaginary, but even worse cases than these are of daily occurrence. If you have decided that the Hindu joint family in these days of civilisation must go, then pass a law and do not recognise the Hindu joint family at all. But when your highest authority has pronounced that the presumption in the case of Hindus is that they are the members of a

Hindu joint family then treat them fairly and do not penalise them for the sins—if you call it a sin—of their ancestors who established this beautiful system of Hindu joint family.

Sir, when you come to the actual practice we know that every Hindu family, though separate, is taken to be a joint Hindu family, and the income-tax officers are very reluctant to recognise any Hindu to be a member of a divided Hindu family. This in practice works very hard. Though in the eyes of the law a mere intention to separate amounts to separation, for the purposes of income-tax even the actual separation is not recognised. Besides this, the incomes of Hindu ladies derived from their *stridhan* is also included in the total income of the Hindu joint family, though it can hardly be legally justified. Taking all these facts together the Hindus are not justly treated for the purposes of income-tax.

If I be fortunate enough to carry my amendment, even then the Hindu undivided family will have a cause of complaint. The scale of tax in the family will still be on a higher scale than the one at which the members of other families are charged. To give an instance, suppose there are 5 members of a Hindu undivided family, each earning Rs. 3,000 a month, the family is taxed on the total income of Rs. 5,000 an income-tax at the rate of 9 pies in the rupee, while if they would have been members of other faiths they would have paid at the rate of five pies in the rupee.

In the case of the super-tax, Sir, as I pointed out yesterday, the principle has been recognised, and while a company or an individual is taxed at the income of Rs. 50,000, the Hindu joint family is taxed only when the income is Rs. 75,000, i.e., a concession of 50 per cent. is given to the Hindu joint family. By that proportion too you cannot equitably tax the income of a joint Hindu family if it is less than Rs. 3,000 a year. But you must remember that the case of a family paying a super-tax is the case of a very rich Hindu family. They can afford to pay a large amount of income-tax, but in the case of an ordinary tax the rule works very hard. This is why, Sir, I have asked the House to raise it to Rs. 5,000.

Last year I moved an amendment to omit the words "Hindu undivided family" from Part I. The consequence of that amendment was that the Hindus are treated just as the members of other faiths are treated. But the Honourable the Finance Member without giving any arguments simply stated that it will cost the Government 90 lakhs of rupees and the motion was negatived. If the Honourable the Finance Member would have shown why a Hindu is to be penalised simply because he happens to belong to a certain faith, would have tried to meet his argument. The point is not as to what will be the cost of a certain proposal, but the point is whether the enactment that you are making is a fair and equitable one. Does it or does it not work hard on the assessee? I have this time, Sir, modified my proposal and have left the case of all the Hindu undivided families intact which are earning more than Rs. 5,000 a year. My proposal thus will not cost Rs. 90 lakhs now but only a small sum to the Exchequer. But even if the cost be 90 lakhs of rupees, and if I have made out a good case the House should vote for my amendment.

[Mr. Mukhtar Singh.]

It is my misfortune, Sir, that there are no statistics to show as to the average number of members in a joint Hindu family; else I would have shown by calculation that the amount of monthly income that a member of a Hindu joint family is getting is very very small and the family is hardly able to pay an income-tax on that income.

If the income-tax would have been levied on the income of all the members of any faith or creed living joint my objection would not have been tenable. But when such families of other faiths are not taxed and rightly too on the joint income, why should a distinction be made in the case of a joint Hindu family?

I hope, Sir, I have tried to show the reasonableness of my amendment and the Government will be pleased to accept it.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, the present amendment and the other amendments on the paper really proceed from a desire to see uniformity of taxation enforced with regard to all sects and religious faiths. You will have seen, Sir, from these amendments that they proceed on one common basis, either enacting that the words "Hindu undivided family" be taken away from the list which appears in Schedule II, Part I-A., or that a different standard of income be established in regard to the joint and divided Hindu family or the words "total income" be defined in a different manner, so that the incidence of taxation may be uniform in regard to persons belonging to the different faiths. Now as I have submitted all these amendments proceed on two bases—(1) uniformity of taxation and (2) that the undivided Hindu family is not an economic unit of existence and thus is not a proper basis of taxation. As regards the first question I do not think there will be any person in this House who will dispute the proposition. Sir, our country, as is well known and much has always been made of the fact, is inhabited by persons of various faiths and races, and generally the only principle which is regarded as a panacea of the solution of all difficult questions which daunt us every day—one principle which emerges clear is—that in all matters of liability there must be uniformity. We have heard much of the differential treatment meted out to persons of different faiths and I do not think there is any Indian in this House who will dispute this proposition. I know there are some people who talk of historic backgrounds and some who talk of special aptitudes, but they only bring in these matters in respect of certain rights and certain opportunities. I have not found any members saying in this House that in regard to liability also there must be differential treatment. I maintain Sir, that in regard to liabilities, rights or opportunities there must be uniformity all round if we are to nationalise the Government or any department of the Government. Now, Sir, when we were discussing the question of the cut on the Central Board of Revenue, an amendment was moved in this House by Mr. Arthur Moore, the House was committed to the principle of that amendment by passing that cut. That amendment related to the uniformity of taxation; so I take it so far as that question is concerned it will be admitted by every one in this House that this principle is one to which no objection can be taken. A question of this nature has reference to members of other faiths also and the members of

those faiths have been voicing their grievances in this House in the same way as I am submitting it from the Hindu standpoint. In this connection I would refer to the report of the Taxation Inquiry Committee and you will be pleased to see that on the question of levying probate duties they say at page 268, paragraph 361, as follows:

"The existing duties are very inequitable in their incidence. This is determined, as already pointed out, by race, religion or locality. The assets in India of Europeans, Eurasians, Armenians, Jews and persons of foreign domicile must pay duty whether there is a will or not, or whether any right is sought to be established in court or not. The estates of Parsis, whether there is a will or not, and the estates of Indian Christians, where there is a will, must pay duty wherever the estate be situated in India, though only when a right is sought to be established in the courts. The estates of Hindus, where there is a will made in, or relating to, immovable property situated in the Lower Provinces of Bengal or the cities of Bombay or Madras, must also pay duty, but again only when a right is sought to be established in courts. The estates of all Muhammadans who die testate or intestate, the estates of all Hindus and Indian Christians who die intestate, and the estates of all Hindus who die leaving wills not falling within the scope of the Hindu Wills Act need pay no duty, unless the parties themselves apply for, and obtain probate or letters of, administration."

Now, Sir, I have tried to show so far that the principle of the uniformity of taxation is one which has been accepted by this House and which nobody will dispute. That the present duties in regard to the undivided Hindu family are a great hardship and impose iniquitous obligations admits of no doubt as has been amply proved by the speech of my Honourable friend Mr. Mukhtar Singh, who has given instances. I need not repeat that part of the story.

The second question I wish to submit for the consideration of the House is whether the Hindu family as such is a proper basis for taxation. Now, Sir, when we were discussing the Reserve Bank Bill, the Leader of the House gave one argument to this effect—that in regard to the elected Members of this House since we have not been elected for the purpose of choosing Directors for the Reserve Bank therefore we have got no right to choose such Directors. Now, may I ask the Honourable the Leader of the House, was this institution of the undivided Hindu family inaugurated by our ancestors for the purpose of affording a proper basis for the taxation of the Government of India? This joint Hindu family is not an economic unit of existence. As I have submitted, it is a unit of social existence. So far as the other civil rights of the Hindus are concerned, I do not know of any law which gives the Hindu undivided family as such any specific rights or imposes any specific liabilities. Under the provisions of the Civil Procedure Code a firm can sue, but an undivided Hindu family as such cannot sue. I know of only one exception to this which had reference to the provisions of the Hindu Family Transactions Bill. The Honourable the Law Member wanted to impose that Bill upon this House but the objections proffered to that Bill proved to be fatal to it and I do not think that Bill will find favour with this House. That is the only exception that I know of. Leaving that consideration aside, I anticipate I will be met with another objection. It will be said that since the Hindu joint family is an entity which is akin to a corporation, therefore when you cannot predicate the income of a particular member that he is entitled to this portion or that portion, you cannot single out a portion of the income for the purpose of levying income-tax upon it. Now, so far as that part is concerned, I will meet that argument by another quotation from

[Pandit Thakur Das Bhargava.]

the Report of the Taxation Inquiry Committee. At page 275 in paragraph 374 this objection has been met in the Report, which says as follows:

"It is sometimes urged that inheritance taxation ought not to apply to the property of a Mitakshara joint family on the ground that, on the death of a coparcener belonging to such a family, there is no mutation or acquisition which gives occasion for the levy of a duty. But it cannot be denied that a member of a Mitakshara joint family possesses a beneficial interest in the properties of the family during his life-time, which he can sell or mortgage, and in some provinces, even dispose of by gift, and of which he can get a partition during his lifetime by suit, or effect severance by a mere unequivocal declaration communicated to the other members of intention to hold separately. This interest clearly passes on the death of the member, and is therefore a proper subject for a tax in the nature of a mutation duty. In the similar case in England, where property or an interest in property passes by survivorship it is valued for purposes both of estate duty and succession duty. Again, in the Bill to amend the Court-fees Act now before the Central Legislature, it is expressly provided that, if any member of a joint Hindu family governed by the Mitakshara law applies for probate or letters of administration in respect of the estate of a deceased member of the joint family, such estate shall not be deemed to be property held in trust, and the applicant shall pay a fee on the value of the share in the joint family property which the deceased would have received if a partition of the property had been made immediately before his death. In the opinion of the Committee, this provision is based on the correct principle that there is no objection to subjecting to duty property or an interest in property passing by survivorship on the death of a coparcener in just the same way as property or an interest in property passing by inheritance is so subjected."

Now, this is clear, that when the question of levying duty on an undivided Hindu family comes in, the Government accepts the principle as they accepted it in the Court-fees Bill which was before the Central Legislature at some time, that independently of the fact whether there is a partition or not in the Hindu undivided family, for the purpose of levying a court-fee that family will be taken as a partitioned family though there is no partition. Sir, it is an undoubted principle of Hindu law that a Hindu family cannot be disintegrated otherwise than by a partition and that death makes no difference so far as the status of the family is concerned. When for purposes of the Court-fees Bill, for the purpose of levying a duty on the undivided Hindu family you can choose to say good-bye to this principle, I fail to understand why for the purpose of the Income-tax Act you cannot accept the same principle. That, Sir, is so far as the legal question is concerned.

Now I come to a matter which is of common knowledge and which produces great complexities in practice. In practice when a person belonging to an undivided Hindu family or rather when a Hindu goes before an income-tax collector, then the first thing that he is asked is "Are you a member of an undivided Hindu family?" Before this question can be answered, I think even the best lawyers would have to scrutinise their law books before a good reply can be given. The state of the Hindu joint family before it is partitioned by metes and bounds is always in a state of flux. You cannot say whether the family is separated or not separated. As I have submitted, Sir, in practice, some members go to different places, adopt different professions, keep their own incomes to themselves and spend those incomes without contributing anything to the common family chest. The judicial pronouncements of the Privy Council and of all the High Courts in India to the effect that a member of an undivided Hindu joint family has the key of separation in his own hands has really made the position much better; at least from the point of view of the Hindu undivided families I think that the position is much better than before. According to the latest pronouncement of the Judicial Committee of the Privy

Council, every Hindu can by mere expression of intention give a fatal blow to the undivided Hindu family of his; and it is always an apple of discord between the assessee and the income-tax officer whether a particular family is joint or not. Now, this very Session the House has placed a weapon in the hands of income-tax collectors which may prove very detrimental to the interests of the Hindu assessee and in which large powers have been given to the income-tax collectors to decide by a departmental inquiry the question whether a Hindu family is joint or not. But we were assured by the Honourable the Leader of the House that the income-tax collectors will be bound by the law of the land; they will not be able to decide when there is an unequivocal expression of intention on behalf of any member of an undivided family that he has separated, that the whole family is joint. I take it that instructions in this particular will be issued by the Finance Member.

Anyhow when we look to the state of the undivided Hindu family in the whole of India, we must come to the conclusion that it is most difficult for any income-tax collector to decide or even for the members of the Hindu families to decide whether they continue divided or undivided. Now, Sir, I cannot say very confidently about the rest of India: but I can speak of the Punjab and the United Provinces with much greater confidence. In the Punjab, as far back as 1889, it was held by the Chief Court that the joint Hindu family does not exist as such in the Punjab. That ruling has been affirmed in 34 Punjab Record, 1919, and it can be confidently said that the abstract notion of the Hindu undivided family according to the Shastras has absolutely no realisation in the existence of the present Hindu families. This, Sir, is one side of the picture.

In those provinces which are governed by the Dayabhaga, this legal objection cannot have any force. By the very force of the law applicable to them, every Hindu who is a member of an undivided Hindu family has got a separate interest in his income and in the properties which are owned by the family, and there is absolutely no justification that a principle which is different from those which are applied to other than Hindus should be applied to a Hindu undivided family of that nature. When the state of the law is this and when so many attacks have been made against the Hindu undivided family by various forces, I do think that this fiscal provision should not be impressed into service to make another attack on that Hindu undivided family. I do not want that the Hindu undivided family should persist in its character as it is even now—I do not want that. But I consider that it is not the concern of any fiscal Act to penalise any particular religion or members of any particular faith.

Now, Sir, the progress from status to contract of which we read as students in the book called 'Ancient Law' by Sir Henry Maine has had really wonderful effects in India, and one of the potent causes which has so far contributed to the disintegration of Hindu undivided families is the provision in the Income-tax Act, which sets a premium on separation.

Now, Sir, having established these two things for your consideration, namely, that the uniformity of taxation involves the principle which must be acceptable to everybody, and, secondly, that the position of the Hindu undivided family being what it is, I have only to submit that some means should be devised whereby this uniformity of incidence can be secured to the members of the undivided Hindu family. Now, three solutions are open to this House, and one of them is that the words "Hindu undivided

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family" may be deleted from this clause. An amendment to that effect was moved last year, but it could not be carried. As regards the present amendment before the House, it has got one merit in it, and that is, it is in the nature of a compromise. So far as the question of principle is concerned, I do submit that uniformity can only be secured if a member of an undivided Hindu family is regarded as an individual as all members of other faiths are regarded. But if that involves a change in the Income-tax Act or if that cannot be secured, it is an additional reason why this amendment should be accepted by this House and justice done to the Hindu community. I will say to the Hindu Members that this provision is in the nature of a disability upon all Hindu undivided families, and it is not a case of asking for special treatment. It is a case of securing uniformity, and from the national point of view this is a provision which should not be allowed to remain on the Statute-book of this country. All such iniquitous conditions are really dangerous from the national standpoint. To the non-Hindu Members I would only submit one word. We do not want any preferential treatment. We want the same thing which when they are affected they would want from this House. I do not ask for any special treatment, and I would beg of my friends to consider the question from the national standpoint and also from the point of view of justice. I would therefore appeal to the House to accept this small amendment, as it is difficult to amend the Income-tax Act, by a non-official Bill.

Mr. M. S. Aney: (Berar Representative): Sir I should like to make only a few observations in support of the amendment of my friend Mr. Mukhtar Singh. The other day this House carried a cut which was moved by my friend Mr. Moore. That was to give support to the principle of uniformity of taxation. That cut was with reference to the income-tax itself. Now, if this House has accepted the necessity of recognising the principle of uniformity of taxation, then it is necessary to find out if there are any deformities in the Act itself from that point of view, and the particular iniquity to which the attention of the House is drawn by my friend Mr. Mukhtar Singh is in my opinion a clear case of the deformity of that kind. One of the principles on which a fiscal law should proceed or for the matter of that, any other law should proceed, is that it should treat all persons equally in the eye of the law. In the case of Hindu families we find that the very fact that he is a member of an undivided family makes him for the purpose of income-tax a different person from persons who belong to religions which do not happen to recognise the existence of joint families. It means that the law creates a disability purely on account of the particular social polity which a Hindu has to observe out of deference to the traditional status and position of the family of which he is a member. This sort of distinction which the Income-tax Act countenances goes, in my opinion against the very principles on which the fiscal or penal laws of the country should be based. Every person for the purpose of taxation should be treated as a separate entity and his individual earning capacity should be the only criterion for assessing him. There should be only two kinds of persons in my opinion whose cases the income-tax law should take into account, one individual that is a natural person and the other who may be called a statutory or artificial person such as corporations that come into existence for profit making. Now, the Hindu undivided family is a legacy which we inherit from time immemorial. It has certainly not come into

existence at any time as a corporation for the sake of making any profit. It had got its virtues, it has got its uses as well as its defects; and it has probably survived the period of its utility. That is a different question. But it will be conceded by all that the Hindu undivided family at any rate is not a corporation that has come into existence for the sake of profit making; on the other hand, if we look impartially at the facts as they are, we find that the Hindu undivided family is creating a good deal of difficulty in the economic progress of the society. So that is a corporation of which the income-tax authorities should have taken no account for the purpose of their assessment. And yet the law has treated it as a separate entity and the members of that corporation as somewhat different from members of the other faiths in the country for the purpose of assessment. There is no ostensible reason for this except one; and that is that it gives some advantage to the Income-tax Department to assess the men at a higher rate at times or enable them to assess incomes which are not ordinarily liable to assessment. That is the only advantage which the Income-tax Department gets and that is why the Hindu undivided family has found a recognition in the Income-tax Act. The iniquity that is created will be obvious to all Members if they will look at the instance which I am going to quote. Suppose there is a family consisting of 4 or 5 brothers. One of them has an income of say 4 or 5 thousand rupees while the other brothers who are living elsewhere have incomes less than one thousand rupees. All of them have got their separate families to maintain. The liability of the man who considers himself as one of the most fortunate members in such a Hindu family is, that not only has he to maintain his own family on his income of four or five thousand rupees but he has also to give some support to his other brothers who being less fortunately circumstanced are unable to maintain themselves. But for the purpose of income-tax, what is the position? Notwithstanding that he has to give something from his own income to his other brothers who are unfortunately circumstanced, he is called upon to take their income into his account and submit in his return the total amount for the purposes of assessment. He incurs a yearly liability to maintain his brothers and their families, and in addition to that, he has to incur a further liability in that he has to take their incomes also into his count which are very often otherwise unassessable and they are made part and parcel of his own income and he has to pay a tax upon the total amount. It thus creates a double inequity. Incomes below Rs. 1,000, on which other brothers are not able to live, become assessable because this one man who is theoretically a member of the Hindu undivided family has an income on which he has to pay income-tax. If he has got an income of Rs. 2,000 or Rs. 3,000, on account of that addition he has to pay at times income-tax on the total amount at a higher rate. This sort of difficulty is created. And I maintain there is absolutely no reason why the members of a Hindu undivided family should hereafter continue to remain under that disability.

The difficulty, which is generally put forth, is neither real nor insuperable. It is urged that it is impossible to say before any partition takes place what the exact income of any particular member is and that it will not be possible for the Income-tax Department to take any particular portion as the income of any particular individual and assess it. On that point, I may draw the attention of the Honourable Member to the particular passage which my friend Pandit Thakur Das Bhargava has just read

[Mr. M. S. Aney.]

out from the report of the Taxation Inquiry Committee. If they know that an undivided family consists of 5 brothers, they can certainly treat the income as divided among the five brothers for purposes of assessment and assess each brother in that way. That will at least to some extent minimise the present difficulty and hardship. But to take the whole income as coming out of one member and then to tax it is virtually to put a tax upon the earning member for whatever he does out of affection in the interests of other members who are less fortunately circumstanced. It is sheer injustice to the man who not only maintains his own family but who out of regard and out of his affection for the conception of a joint Hindu family is also prepared to give something out of his earnings towards the upkeep and maintenance of his brothers and other members. For these reasons I feel that it is necessary that the Hindu undivided family should be treated as suggested by my friend. As a matter of fact it should cease to be a separate assessee under the law as it is, but if the Government are not prepared to go to that length to-day then they should at least come down to the position taken up by my friend Mr. Mukhtar Singh and in doing that, they will be only removing an inequality and deformity in the Act and making some effort to bring the Income-tax Act up to the principle of uniformity of taxation which this House accepted only a few days ago.

The Honourable Sir Basil Blackett (Finance Member): Sir, the amendment that is actually before the House is an amendment to make the minimum income on which a Hindu undivided family is to be taxed Rs. 5,000 in place of the normal minimum of Rs. 2,000. That is defended on the basis of the principle of uniformity of taxation. But as far as I can see, it is merely a proposal to introduce another special discrimination into the existing position. Indeed, when I hear Members from various parts of the House talk about uniformity of taxation, I notice that invariably what they mean is rather lesser taxation on the classes for which they are speaking or on themselves without reference to the position of other classes. Now the greater part of the discussion has centred round rather a different question, and that is, the question whether the existing law is right in the way it treats Hindu undivided families for the purpose of income-tax. That question is raised by some amendments which are down on the paper lower, but which, I gather, are all being discussed on this one amendment. On that I have to say this. The whole principle of our Income-tax Act was very carefully inquired into before the Act of 1918 was passed and again before the Act of 1922 was passed, and very careful provisions were laid down under which income-tax should fall on Hindu undivided families. The law on that subject is somewhat special and intricate, but very careful provisions were made and conclusions arrived at which have stood ever since 1922. In a sense it may be said to have been confirmed only the other day when in dealing with a minor amendment to the Income-tax Act in a Bill that was before the House reference was made to Hindu undivided families and new provisions of a certain sort introduced with regard to the treatment of Hindu undivided families for the purpose of income-tax. Those who have spoken on the subject have assumed that there is something unjust in the present method of taxation of members of Hindu undivided families, but I noticed they were careful to leave out any mention of the special privileges which

are given to members of Hindu undivided families which do not apply to others. For example, when a Hindu undivided family is assessed to income-tax the income of its members derived from other sources than the family property or the business and the income of the family as such is kept entirely distinct. If a member, whether he be the head or a member of a Hindu undivided family has a private business or profession, his personal income is not added to the income of the family and taken into account in assessing the family. Nor is his share of the family income taken into account in assessing him, either by inclusion in his total income on which the personal rate is determined or for any other purpose. That is to say, the income-tax law allows the member of a Hindu undivided family a privilege which it does not allow to anybody else. He is treated as combining in his own person two entities, his personal entity and his membership of his family and he is allowed to split up his total income, profits and gains correspondingly, a process which could never be to his disadvantage and must in many cases be decidedly advantageous to him as well as to the family. What I submit to the House is that our present provisions in the present law have been very carefully thought out and have been arranged with reference to getting as near uniformity of taxation in the matter of income-tax as possible when you have to fit the system of the Hindu undivided family into theories of taxation which certainly never took it into account. I was asked whether the Hindu undivided family came into existence for the purpose of taxation. I am not quite sure whether any institution or even any individual—even Adam and Eve—came into existence for the purpose of being taxed, but the tax-collectors have found them and tried to tax them.

Mr. M. S. Aney: As profit-making concerns?

The Honourable Sir Basil Blackett: That is what the law we have at present does. I cannot on behalf of Government agree to this amendment at the cost of from 20 to 25 lakhs a year. But I do want the House to feel that in objecting to it the Government are not merely objecting to the loss of 20 to 25 lakhs a year, but they are objecting to the introduction of yet another anomaly into the income-tax law, uniformity in which both they and the House are equally desirous of maintaining.

Mr. President: The question is:

“That in Part I of Schedule II to the Bill the following be added to entry A (1):

‘But in case of a joint Hindu family when the total income is less than Rs. 5,000 . . . Nil’

and consequential amendments be made in A (2).”

The motion was negatived.

Mr. President: I take it the other amendments will not be moved.

Mr. Mukhtar Singh: I move, Sir

Mr. President: They are all of the same kind. The arguments are the same.

Mr. Mukhtar Singh: But I must formally move them.

Mr. President: If the Honourable Member wishes to move them, he can do so.

The Honourable Sir Basil Blackett: Which amendment is the Honourable Member going to move?

Mr. President: The alternative amendment (in No. 29).

Mr. Mukhtar Singh: Sir, I beg to move:

“That in Part I of Schedule II to the Bill the following be added to entry A (1):

‘But in case of a joint Hindu family when the total income is less than
Rs. 4,000 . . . Nil’

and consequential amendments be made in A (2).”

I have already given my arguments and I will only submit one word in reply to the Honourable the Finance Member. He has said that this will create an anomaly and a distinction if this is allowed. I have pointed out in my previous speech that in the case of super-tax the principle has already been recognised and the Government has been forced in a way to consider that the Hindu joint family should not pay super-tax if the income is only Rs. 50,000. They only charge super-tax when the income is Rs. 75,000. It shows clearly that in the case of super-tax a distinction is made, and I do not see why a distinction should not be made in the case of ordinary income-tax also. A person who has got an income liable to super-tax is a sufficiently rich person and distinction may not have been made in his case. When a distinction is made in his case I do not see why a distinction should not be made in regard to income-tax also, and not to make that distinction is quite unjust and unfair. The very fact that the Honourable the Finance Member did not reply to that argument shows that this is a fit case, and specially when I have brought down the figure from Rs. 5,000 to Rs. 4,000.

I hope the House will accept this amendment.

Pandit Thakur Das Bhargava: I have listened with rapt attention to the arguments advanced by the Honourable the Finance Member in regard to the last amendment, and I think that he will certainly say with regard to this amendment that his arguments are the same. I take this opportunity of replying to some of his arguments. . . .

The Honourable Sir Basil Blackett: May I rise to a point of order, and ask whether the whole question can be re-opened on this amendment?

Mr. President: I think the Honourable Member must know that it is mere repetition. I have allowed very full discussion on the first amendment and Members should not go on repeating the same arguments over and over again.

Pandit Thakur Das Bhargava: May I submit that I am not going to repeat the very same arguments at all. . . .

The Honourable Sir Basil Blackett: I suggest that the arguments on this amendment should be confined strictly to this amendment and nothing else.

Pandit Thakur Das Bhargava: I shall confine myself to that question. The first question we will have to consider is what will be the loss to the

revenue. We were told that the loss to the revenue if the previous amendment had been accepted would be about Rs. 20 or 25 lakhs. I do not think that if this amendment is accepted the loss will be so large. If it is a fact that this amendment, if carried, will effect an anomaly in the Income-tax Department and in the incidence of taxation, without accepting that any anomaly will be created, I would only say that if there are two anomalies, one a previously existing one and the other, now proposed, both should be removed. I am ready to state that we do not want any special privileges or special anomalies and we want only uniformity of incidence. I also beg to submit that the argument that the law is there for the last ten years is absolutely no argument at all. If accepted, that will mean that there can be no change in any law at any time. If this amendment is adopted, I think some sort of justice will be done to the Hindu undivided families.

Mr. President: The question I have to put is:

"That in Part I of Schedule II to the Bill the following be added to entry A (1) :

'But in case of a joint Hindu family when the total income is less than Rs. 4,000 . . . Nil'

and consequential amendments be made in A (2)."

The motion was negatived.

Mr. Mukhtar Singh: I beg to move:

"That in Part I of Schedule II to the Bill the following be added to entry A (1) :

'But in case of a joint Hindu family when the total income is less than Rs. 3,000 . . . Nil'

and consequential amendments be made in A (2)."

I would add only a word on this amendment. I have shown that in the case of super-tax allowance has been made to the extent of 50 per cent. in the case of a joint Hindu family, and it is exactly the figure that brings this amount to Rs. 3,000. Therefore, I would submit that this is a very fit case, and that the House should accept it.

Pandit Thakur Das Bhargava: In so far as this amendment is concerned, it has got a special significance. In this amendment we do not claim that Rs. 5,000 should be the basis of incidence in the case of a joint Hindu family. This has put the compensatory allowance to the joint Hindu family at a very moderate rate. It would practically not involve loss to the revenue, and I contend that the point of the Honourable the Finance Member that loss would be caused to the general revenues cannot be pressed in regard to this amendment.

The second point I would bring forward in connection with this amendment is this, that the law as interpreted by the Honourable the Finance Member in regard to incidence of income-tax of an undivided Hindu family is not applied in practice. In fact, in the case of undivided Hindu families, all incomes, whether private or otherwise, are treated as joint family incomes. According to the tenets of Hindu law, if there is a nucleus of family property, all private incomes from whatever source they are derived, are regarded as incomes of the joint Hindu family. I am rather surprised

[Pandit Thakur Das Bhargava.]

at the statement that the private incomes of members of undivided Hindu families are not taxed. On the contrary, even the incomes belonging to the dependants of a Hindu joint family are regarded as income of the family for the purpose of income-tax. We know that the Taxation Enquiry Committee.

Mr. President: These are general arguments which are applicable to all the amendments. There is no special argument urged by the Honourable Member in support of this amendment.

Pandit Thakur Das Bhargava: So far as the general arguments are concerned, I would submit that those arguments have reference to this amendment also.

Mr. President: Quite right, but they cannot be repeated. The Honourable Member had a very full opportunity to address all the arguments to the House on the first amendment, and he had done so.

The question is:

"That in Part I of Schedule II to the Bill the following be added to entry A (1) :

'But in case of a joint Hindu family when the total income is less than Rs. 3,000 . . . Nil'

and consequential amendments be made in A (2)."

The Assembly divided:

AYES—47.

Abdul Matin Chaudhury, Maulvi.
Acharya, Mr. M. K.
Aiyangar, Mr. C. Duraiswamy.
Aney, Mr. M. S.
Badi-uz-Zaman, Maulvi.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chaman Lall, Diwan.
Chetty, Mr. R. K. Shanmukham.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Goswami, Mr. T. C.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Javakar, Mr. M. R.
Jorlah, Mr. Varahagiri Venkata
Kartar Singh, Sardar.
Ke'kar, Mr. N. C.
Kidwai, Mr. Rafi Ahmad.
Kunzru, Pandit Hirday Nath.
Lalpat Rai, Lala.
Malaviya, Pandit Madan Mohan.

Mehta, Mr. Jamnadas M.
Misra, Mr. Dwarka Prasad.
Mitra, Mr. Satyendra Chandra.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi.
Sayyid.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Srijut Tarun Ram.
Prakasam, Mr. T.
Ranga Iyer, Mr. C. S.
Rao, Mr. G. Sarvotham.
Roy, Rai Bahadur Tarit Bhusan
Shafee, Maulvi Mohammad.
Shervani, Mr. T. A. K.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. R. P.
Sinha, Mr. Siddheswar.
Yakub, Maulvi Muhammad.
Yusuf Imam, Mr.

NOES—52.

Abd'ul Aziz, Khan Bahadur Mian.
 Abdul Quyum, Nawab Sir Sahibzada.
 Abdullah Haji Kasim, Khan Bahadur Haji.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Ahmed, Mr. K.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Bhuto, Mr. W. W. Illahibakhsh.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterjee, The Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir Khan.
 Dalal, Sardar Sir Bomanji.
 Gavin-Jones, Mr. T.
 Ghazanfar Ali Khan, Raja.
 Ghuznavi, Mr. A. H.
 Graham, Mr. L.

Irwin, Mr. C. J.
 Ismail Khan, Mr.
 Joshi, Mr. N. M.
 Jowahir Singh, Sardar Bahadur Sardar.
 Keane, Mr. M.
 Kikabhai Premchand, Mr.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mohammad Ismail Khan, Haji Chaudhury.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Sams, Mr. H. A.
 Sassoon, Sir Victor.
 Shamaldhari Lall, Mr.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was negatived.

Schedules I and II were added to the Bill. Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Basil Blackett: I move that the Bill be passed.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadian Rural): Sir, I oppose the motion that the Bill be passed. We have had debates on several important items of the Budget and we have had a general debate on it. At the end of it all, I feel that the Finance Bill before us should not be passed with the support of any elected Member of this House. I feel, Sir, that the situation is quite as bad as it was four years ago. I should say it is worse now. The constitution provided by the Statute of 1919 is a very peculiar constitution. It has placed the responsibility of imposing taxes upon the elected Members of this Assembly because they are in a majority in it. It has not given them power to control the expenditure of the taxes so raised. I protested against this in 1924. I then said that so long as the constitution remained as it is, I shall never support the Finance Bill, and I have adhered to that view. I have never voted since that time in favour of the Finance Bill. I feel to-day, Sir, that instead of silently abstaining from voting for the Bill, I should once again make my protest as clear and as strong as I can make it. I repeat that it is entirely wrong that the representatives of the people here should not have the power to regulate the greater portion of the expenditure of the taxes which they are asked to raise year after year. We know that nearly two-thirds of our expenditure including

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a great deal of the expenditure relating to the Army is non-votable. So many items which include the salaries of high officials here and in England are not votable. We have seen that even in respect of items that are votable, votes of this House, passed by large majorities, have been set at naught by the items which the Assembly had voted against having been restored by His Excellency the Governor General at the request of course of the Member of Finance.

I submit, Sir, that I can not imagine a worse stage in the financial administration of this country than what we have reached. We have had five surplus budgets. We have heard congratulations offered to the Honourable the Finance Member on his having produced five surplus budgets. But that is not a matter of congratulation when it is coupled with the statement of the Finance Member himself that, except for the abolition of the cotton excise duty, which was an iniquitous tax which should never have been imposed and the giving up of which meant merely ceasing to levy an unjustifiable impost, except for that one item, he has not been able to bring about the reduction of any taxation worth speaking of. I submit that those surpluses have clearly been brought about by the high taxation that has been maintained. We all know what taxes were imposed after the war. The total has been repeatedly mentioned to be about forty-five crores a year.

An Honourable Member: Forty-nine

Pandit Madan Mohan Malaviya: Now I submit that the maintaining of this high taxation after the War when the necessity for it had ceased, is a crime against the people. There is no other word that would cover the case. I say it is a crime against the people of India. We all understand that during the time of a war, and for sometime even after a war, it may be necessary for the people to bear high burdens of taxation. The people in any country who want to support the Government would be willing to bear that burden; but the very exceptional character of that burden, the very fact that that burden is high and exceptional carries with it, to all reasonable minds and in all reasonable constitutions, the necessary implication that as soon as the pressure of the war or of the aftermath of the war could be removed, that high taxation would be reduced. Other nations which were directly involved in the last Great War have passed through that period. They did bear high taxation, but they have reduced taxation and they are happier than they were just after the war. Here in India where the poverty of the people, the general mass of the people, is proverbial, here in India, where the national average income is about one-twentieth of that in England, the high taxation imposed in consequence of the war has been maintained without practically any remission except that to which I have referred. I submit, Sir, this is a crime against the people. The provincial contributions have no doubt been remitted. That is a matter of sincere satisfaction, but the provincial contributions should have been remitted by a reduction in the public expenditure of the country. They should have been remitted by a substantial reduction of the military expenditure and of other kinds of expenditure. They have been remitted by maintaining high taxation which, I submit, is wrong. What has been given by one hand has been taken by another. I submit therefore that the remission of provincial taxation does not entitle the Finance Department of the Government of India to any real credit.

This high taxation has been maintained in utter disregard of the protests of the representatives of the people. I cannot think of any period during recent times in which the people's condition has been worse than it has been during this period of high taxation, and I submit, Sir, this is one of the reasons why I oppose the Bill which is the instrument by which this high taxation is to be maintained. I know the Bill affects income to the extent of about forty-five crores. It is not my object to say that expenditure to the extent of forty-five crores should be reduced in the present Budget. If the Bill should have been placed before us in parts, I would have supported some parts of it, but the Bill is presented as one whole measure, and the only way in which I can protest against this high taxation being maintained is by opposing the Bill.

Sir, I will now draw attention to some aspects of the military expenditure to which reference has already been made by several of my friends. It has been pointed out that military expenditure has grown enormously and that even the reduction which was recommended by the Inchcape Committee has not been brought about. To that the answer given by the Honourable the Finance Member has been that we should not expect that military expenditure shall be brought down much below 56 crores of rupees or about that figure. Now, Sir, the Inchcape Committee consisted of some very capable men who it should be granted in all fairness possessed a knowledge of the needs of the military administration of the country and also of the financial position of the Government of India. If, after a careful inquiry, which lasted for several months, they came to the conclusion that military expenditure should in the course of a few years be brought down to 50 crores of rupees, I submit that that opinion cannot be brushed aside lightly; and I submit that in not having worked earnestly to bring about that result, to effect that reduction of about six crores in the military budget, the Finance Department of the Government of India have failed to discharge their duty to the people of this country. Now there are several ways in which this military expenditure can be reduced. One of these is by finding out where that expenditure is extravagant. It is not given to us non-officials to know where the expenditure is extravagant. That knowledge can be gained only by those who know the inner working of the Department or by auditors and examiners of accounts who can go closely into the figures. But there are principles and policies which affect expenditure. Many of these have been adverted to by several speakers during the debate on the Budget. We submit that the army expenditure can be largely reduced by the adoption of a rational policy. We submit that the policy of military administration which is at present in vogue in relation to India is an unnatural, unreasonable and extravagant policy. We are made to pay the costs of the British troops on a scale even higher than what they pay in England—even where it is not higher, it is on too high a scale. We recognise that it is the duty of us, Indians, of the people of India, to pay for national defence. We have always paid for our national defence. At no period of British Indian history has the Government of England paid the cost of maintaining the Army in India. It no doubt paid a few millions of rupees for the cost of the Afghan War at one time, but that was because the people of India were not responsible for that war. We have paid for the maintenance of the Army throughout the period of British administration in India, and I submit, that that being so, the second question to ask is what is the measure of the military

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expenditure which is necessary for this country. We do not wish that military efficiency or equipment should be brought below par. We are quite alive to the need, to the importance, of military efficiency being maintained at quite a high level. We recognise that in this unfortunate modern age where all the high principles of cosmopolitanism and humanity have failed to restrain the evil passion for war among the civilised nations of the west, no country can afford to have its army in an inefficient condition. We are quite prepared to maintain it in that condition and on the scale which may be necessary. But we submit that the manner in which the Army is maintained in India at present imposes an unnecessary burden upon us, and that the central fact of that scheme is that British troops are garrisoned in India in large numbers. These British troops necessarily cost a very great deal more than Indian troops do. We have protested against this for the last 70 years. We have protested against the present system of manning and maintaining the Army in India ever since the army was amalgamated, ever since the Army Amalgamation scheme was brought into force in the fifties of the last century, and we protest against it to-day. If we know what the strength of the army should be for the protection of our frontiers and for maintaining internal order, we are willing to provide for it, and we are willing ungrudgingly, uncomplainingly, to bear the burden of the expenditure necessary for such an army. But we object to British troops being maintained here, and in such large numbers, for it is the fact that such a large number of British troops is maintained here that adds enormously to the cost of the army. Now there are two ways in which this cost can be reduced, one is by the removal of the British troops; by their entire removal from this country. We have not urged that all at once, by one stroke of the pen, the whole of the British troops should be removed from this country. We have urged from time to time that the reduction should be gradual, graduated, but that it should be a reduction with a view to their total removal. I had the privilege of being examined by the Military Requirements Committee which sat in 1921 in Simla under His Excellency the late lamented Lord Rawlinson, and I urged that the Government should make up its mind whether it wants to enable India to prepare herself for her defence, and after having made up its mind, the Government should adopt a scheme which will enable India to qualify Indians for national self-defence within a reasonable period. I urged that British troops should be reduced at the rate of 10 000 a year, and that in the course of 5, 10 or 12 years the whole of the British troops should be withdrawn to England, and that they should be replaced by such an additional number of Indian troops as may be necessary for the purpose. I also submitted that in addition to the small compact army which should be always kept ready to take the field at any short notice, there should be a first line of reserve and a second line of reserve, such as there are in Japan and other countries, so that by a comparatively small expenditure, a sufficiently large number of people should be trained and maintained in an efficient condition to take the field and fight the enemy if and when an occasion should arise for it. I earnestly pleaded, Sir, that a scheme like that should be adopted. But unfortunately no such scheme has been accepted. Two days ago my Honourable friend Dr. Moonje suggested that all but 15,000 British troops should be withdrawn from India, and that such an addition should be made to the Indian troops as may be found necessary. I do not know that this suggestion will meet

with a better fate. I know that neither of these two suggestions has any chance of being considered until a decision is first arrived at that it is not necessary that British troops should be maintained in India for the protection of India,—but that what is necessary is that an army of adequate size should be maintained in an efficient condition, efficiently manned and officered, and efficiently equipped. If such a decision should be arrived at, then it should not be difficult to withdraw British troops from India in the course of a few years; and I submit, Sir, that this is a great necessity, the best interests of the country demand that this should be done.

The second direction in which military expenditure can be reduced is the disbanding of what are called the internal security British troops. The internal security troops are not maintained for the purpose of defence on the frontier or against a foreign invader. They are maintained for the purposes of internal security. I understand that up to 1914 the number of British and Indian internal security troops was 16,000 each and that by 1921 the number of internal security British troops had been raised to 24,000. In 1924 I was informed by the Secretary to the Army Department of the Government of India that the number of internal security troops had risen to 27,000. I have tried for the last 3 or 4 days to know what the exact number now is, but I am sorry I have failed in my effort. I do not know why the Army Department should not state in the budget papers every year what the total number of the internal security troops is. That would at once show what is the number of troops required for the defence of the country against an outsider and what is the total number of troops maintained for mere internal security. But, I submit, Sir, that I have not heard one argument to justify the retention of such a large number of internal security troops. I asked in a previous debate, I think four years ago, that the Government should publish a list of the occasions when internal security troops had been ordered to come out to help in maintaining internal security. I was not given any such list, and I maintain that the occasions on which these internal security British troops have been called to quell a disturbance must be very very very few. I shall be surprised if there have been six occasions during the last 50 years when internal security British troops have had so to act. It is the Indian troops that are generally called on such occasions and they manage to put down a riot or a disturbance where it takes place; the police and the Indian troops combined do it. I also submitted to that Committee of Lord Rawlinson that it was not right to call the British soldier in a case of internal riot, because that exposes him to a great wrong. He is not familiar with the ways of the people; he does not understand their customs. He is brought in at a time when the normal atmosphere has been disturbed, and he is possessed of the idea that he has to put down disturbances by force. He is thus called on to act under abnormal conditions; and I submit that his presence creates bad blood between the Indian and the European. (Laughter.) I myself saw it with my own eyes in the Punjab. I visited the Punjab during the period of martial law and I repeated my visit after the period of martial law, and I saw how British soldiers were stationed at some of the railway stations in the Punjab and under what hard conditions they were working, and what amount of ill-will was being created against them by reason of their presence but without any fault of their own. I therefore submit that British soldiers should not be called out to preserve internal security. If Indian troops cannot maintain internal security, they deserve to be dismissed. But I

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submit it has never been alleged that Indian troops have not been able to establish or maintain order. I join with my friend opposite in urging that British troops should at no time be called out for preserving internal security. But at any rate they should not be called out unless a disturbance should unfortunately happen to be of such a serious character that it cannot be put down by the internal security troops. I submit, therefore, that, unless such a situation should arise, and I hope it will not arise in this country because the people of this country are law-abiding even more than the people of many other countries

Mr. K. Ahmed: But the Hindus and Muhammadans are always fighting and British troops are necessary to quell rebellion and maintain peace and order in the country.

Pandit Madan Mohan Malaviya: Shut up,—Please excuse me. I am sorry for having used that expression, I ask the Honourable Member's forgiveness.

Mr. K. Ahmed: Ask forgiveness from the country, my friend!

Pandit Madan Mohan Malaviya: I submit, therefore, that until such a situation should arise, which is not at all likely, British soldiers should not be called out, should not be liable to be called out, to preserve internal security. I join with my friend Colonel Crawford in this matter and I hope that the Government will seriously consider this question. If the internal security British troops have not had to be called out during the last 50 years and more for the purpose for which they have been maintained, the amount of money which has been spent upon maintaining them has been a most extravagant and unjustifiable expenditure, and I submit that it will continue to be unjustifiable to the end of the chapter. Therefore, here is one item of 27,000 British troops, the number that was given to me in 1924, which can be cut down. I should like somebody on behalf of the Army Department to tell me if I am wrong in stating that that was the number in 1924. I should also like to know if the number has since gone up. But even if it has not, 27,000 internal security British troops is an item which any Government which had any sense of responsibility to the people would try to cut out of the Budget as early as possible. I submit that it is one of the most important and serious charges against the present financial administration of the Government of India that they have not yet done so. I have not got the exact figures, but I suppose that if these British troops were removed, that would bring us a reduction of about 10 crores of rupees of expenditure every year. That is one item which I ask the Government to consider and I hope that when the Government of India will present the Budget next year to this Assembly, they will be able to say what action they have taken in this direction. Of course I might be told that I need not wait for another year to know the result, that it is the War Office that dictates the policy of the Government of India, that the Government of India are mere clerks where the War Office is concerned, that they have no power to be able successfully to protest against the action of the War Office and that it is very rarely that their arguments carry any weight with the War Office. I know all that, to my regret. But I submit, Sir, that the Government of India have now to deal every year with the representatives of the people in this Assembly; and when the representatives

of the people year after year draw the attention of the Government of India to the iniquity of maintaining 27,000 British troops as internal security troops, it is the bounden duty of the Government to represent the case to the War Office and to seek its solution and a redress of the grievance.

Now, Sir, that is the second item. The first I have said is the total withdrawal of the British troops gradually in the course of a few years. I ask again who can justify the keeping up of this large number of 69,000 British troops in India, men and officers. What is the condition of this country? Except for the short period of the Sepoy Mutiny, the people of India have shown that they are of a law-abiding character. There has been no rebellion against the Government, and if the Government will yet act wisely, I venture to say there will be none. But what have the Government done during all this period in the matter of the military administration? The army exists and is maintained, I understand, in other countries for the good of the people. The British army in India can without any exaggeration be said to exist, to be maintained, by the people, it seems the people exist to maintain the army,—the people have to pay such an enormous cost for it. There was a dispute whether the total amount of revenue spent on the army was 32 or 42 per cent. I say it is 42 per cent., without any doubt, so far as the central revenues are concerned, and it was these revenues that were meant. But even taking the total revenues of the country, even agreeing that it was 32 per cent., I submit the expenditure is enormous. It is not justifiable in a country where the average national income is one-twentieth of the income of the people of England. Will anybody tell me why of all countries in the world military expenditure in this country should be so disproportionately high? Ever since British rule was established in India, the people have accepted it, or have submitted to it, whichever you please. They have never rebelled against the Government. On every single occasion when Government has called upon the Princes and people in this country to stand by the Government, they have stood to a man by the Government, whether it was a war in the Crimea, a war in China, a war in Europe, or a war in France. There is not a single occasion when the Princes and people of India, being called upon to stand by the British Government, have failed or refused to do so. For such a people for you to show such distrust and disregard of their interests that you maintain at their cost an army so disproportionately costly, is a matter for which you have to answer both before men and before God. It is unthinkable that in any other country such expenditure should be tolerated; and we feel the intolerableness of it growing every day. We find that the money which should have been spent on promoting education among the people, giving them better sanitary conditions to live in, providing them with drinking water, protecting them from malaria, providing them with trained nurses, giving them means of earning a living where unemployment is growing, where all this expenditure should have been incurred, this huge amount of 56 crores is being poured like oil into the fire of military expenditure. I submit, Sir, it is a crime against the people of India to compel them to pay this enormous expenditure. We have suggested means of reducing this expenditure. Any student of Indian history who will take the trouble to read what Indians have written since the fifties of the last century will know that we have protested times out of number against the extravagance of military expenditure. Be it said to the credit of the Government of India in the seventies of the last century, the Government themselves protested against the enormity of this army expenditure. Let me remind you

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of only one such protest which they made. They protested against the Army Amalgamation scheme of 1859 which tacked the Indian Army to the tail of the English Army. Writing on the subject on the 8th February, 1878, the Government of India observed:

"that, placed as it was, under the serious responsibility of so administering the affairs of the greatest dependency of the British Crown, that while British supremacy is strictly guarded the means of securing that end shall not unduly weigh on the people of the country,—it (the Government of India) was constrained to represent to Her Majesty's Government that the burden thrown upon India on account of the British troops is excessive and beyond what an impartial judgment would assign in considering the relative material wealth of the two countries and the mutual obligation that subsists between them. Bearing that in mind (said the Government of India), all that we can do is to appeal to the British Government for an impartial view of the relative financial capacity of the two countries, to bear the charges that arise from the maintenance of the Army of Great Britain, and for a generous consideration of the share assigned by the wealthiest nation in the world to a dependency so comparatively poor and so little advanced as India."

That was in 1878. There have been several other occasions in the past when the Government of India did protest on behalf of the people of India against the extravagance of the military expenditure. But what do we find to-day? When after the bloodiest war known to recent history the people and the Princes of India have given further proofs of their loyal devotion to the British Crown, we find the expenditure on the standing army so high, and our protests going unheeded.—Not only the protests of the unofficial representatives of the people, but even the recommendations of the Committee which was appointed by the Government itself—the Incheape Committee—have been cast to the wind, and I submit, Sir, this is a great wrong to the people. It is time, Sir, that the Government recognised the seriousness of the situation. All this money which is being spent—the greater portion at least of the money which is being spent upon the Army, should be saved to the people to reduce taxation where reduction is clearly called for, and to provide for building up the strength of the people, for pulling them up in the scale of decent living, and not allowed any further to be spent on maintaining the Army.

We have suggested other ways for reducing Army expenditure. In the sixties of the last century, when His Royal Highness the Duke of Connaught was commanding the Poona Division, a proposal was put forward that there should be an Indian Sandhurst established. During the last forty-four years the Indian National Congress has repeatedly asked that an Indian Sandhurst should be established. As the result of a recommendation of this Assembly the Government appointed the Skeen Committee. That Committee went deeply into the matter and made unanimous recommendations—recommendations to which the military members of the Committee, the members of the Civil Service, and the non-official members were all parties. We have seen what fate those recommendations have met with. We have seen how those recommendations have been turned down. At the same time we have been told that we have been unwise in turning down those few recommendations of the Committee which the Government have accepted. Who has turned down those recommendations? When did we say that none of the reforms recommended should be introduced? What we have protested against is the trifling with the great question of the re-organisation of the Indian Army which the decision of the Secretary of State and the Government of India involves. We know that the number of British officers in the Army in India has

been growing. The number of British officers in the Indian Army was unduly large before the war. This was told me by one of the highest officers of the English Army at Simla; and he was frank enough to tell me, "We have to provide for our military families." After the war, one would have expected that the number would be reduced. I do not know—I have not got the figures before me for all these years—but in 1921 when I was being examined before the Rawlinson Committee I was told that the number of British officers was 6,000. To-day we find from the papers presented to us that it is 6,998. I should like some one on behalf of the Army Department to say whether the number has increased between 1921 and 1928 by 998. But whatever that may be, Sir, 6,000 or 7,000, this number of British officers costs a tremendous amount to the Indian tax-payer. Is it necessary to maintain so many officers? We have protested that it is not necessary. England came to India only 150 and odd years ago. India is an ancient country; she has had a civilised government, she had a civilised administration for thousands of years before any foreigners set foot on this land. During the Hindu period it was well administered. During the best Mussalman period—the Mughal period—it was well administered. The prosperity and contentment and happiness of the people during the time of Shah Jehan has not been excelled. It is only during British rule that we are told that we have lost the capacity for initiative and leadership. Good gracious me: why will they not agree to a fair test, a fair trial of strength to judge of our respective capacity for leadership and initiative? Why do they fight shy of it? We ask that our boys should be placed alongside of their boys, subjected to the same courses, to the same discipline and to the same examinations and let the results declare our fitness or otherwise. That is our offer to them to-day. I do not want one single Indian in the Indian Army as an officer who would not be quite efficient, according to the standard prescribed. I want efficiency; I know the value of efficiency, and we have urged that there should be a college in India where the best of teachers should be got to train our young men in military tactics, in order to provide the country, with a sufficient number of efficient officers. Who has refused to accede to this request? Those who have got the power at this moment in their hands; and theirs is the responsibility for keeping up this large expenditure which is involved in the refusal to train Indians as officers for the Army. What evils will befall the country if you will replace British officers by Indian officers properly trained? I say none. And even if some evils should befall the country, we shall meet them. What did they do when the Germans overran France, when they were going to deprive France of her liberty? What did you do when you had the danger of a German invasion in your own land? You rose to the occasion and fought against it as you should have done. If a calamity will overcome us we shall also rise to the occasion, fight, and, God willing, win. Why should you imagine that if some trouble arises we shall succumb to it and India will be drowned in the Indian Ocean? Nothing like that will happen. Give us the liberty; let us have the freedom; remove the unjust restrictions that you have placed upon our powers; let us have the freedom to build up a first class military college, and we shall show you what we can achieve. You tell us you are going to send 20 boys to England and you complain that you are not able to find even 10 suitable young men at present. I know it is so. This is what I was told in 1921; and I then suggested that the whole of your policy required to undergo a change. Why do you not have at present

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even the small number of young men whom you want? It is because you will not make the conditions attractive, and because you do not appeal to that one feeling in man which makes him bind himself, to offer himself, as a sacrifice at any moment for the service of his country. The element of patriotism makes the whole difference. You have not introduced the element of Indian patriotism into the administration of the existing army in India. It is all at present—I am grieved to say it—a mercenary business. We want to place it on the same footing on which it stands in England, in France, in America and in Japan, namely, on a footing of patriotism. Let the patriotic sentiments of the Indian be appealed to and let the right system be adopted. What is that system? I urged in 1921,—and I repeat it to-day,—and I am glad to find that the Sandhurst Committee has made the same recommendation,—that you must proclaim to the people of India that you mean to train Indian officers in sufficient numbers to man the Indian Army, and you must let the fact be known in all the district schools throughout the country, and you must introduce military exercises and military training in those schools. When you will do that, you will find there is enough, nay, more than enough, fine material available for sending up to the central training college of the army than you have a conception of at present. Every country has been able to supply that material. May I remind the House of the state of America before the year 1860? Before 1860 the Americans were not trained for the army. They decided to train their young men for it, and every University was made a centre for training officers in the army. The Government supplied officers, they supplied the equipment, and all the other necessary facilities. Starting in that way in 1860, they built up their military strength to such an extent that when the time of trial came, they were found ready and efficient. When the allies were being severely tried in the last war, they came to their rescue and saved civilization from receiving a very great setback at the hands of Germans. Now, we want Government to do a similar thing in this country. Let them introduce military training in our schools and colleges, send up boys for military training not only from a few centres and families, but pick them up from all over the country, give military training to all boys who possess the necessary physique and the moral virtues needed and are willing to go to the army with their lives on their palms to fight for their country and King. That is what is needed. If you will not proceed in that manner, you will not get the 20 men you want, and then you will unjustly say that India is not able to get even 20 men every year, and that therefore there is no use of establishing a military college in this country. I say, Sir, that there is all the necessary material available in India. But unless you establish a first rate military college in India, and unless you train young men at it in sufficiently large numbers, it will be ages before Indians will be able to defend their own country, and you will make it an excuse to keep up this extravagant expenditure which, I say, is a crime against the people. Therefore, from every point of view the second suggestion about the establishment of a military college in India ought to appeal to every fair minded person in this House. If we gave you, or you took from us, a hundred millions for the war, if we contributed another hundred millions by means of subscriptions from the Princes and people of India combined, can we not afford to spend even 10 or 15 crores to build up an absolutely first class military college in India? And who shall suffer if we do it? We are willing to

bear the burden. You have abolished the opium revenue practically. If we have been able to get on without the opium revenue during the last 10 or 15 years, India can certainly bear the non-recurring expenditure of a few crores to establish a first class military college, and a few lakhs a year to maintain the necessary staff for it. Why then will you not give us a military college? You are morally wrong in refusing to let us have such a college. Your financial administration is to be condemned, because by refusing to let us have such a college you are keeping up your high expenditure on the British officers you now have in the army. I say this is another direction in which you can reduce the expenditure and you ought to do it. I know that the mere establishment of a college, even when that idea materialises will not all at once reduce the military expenditure. We know it. For that very reason, and because we know that it will take a long time, to bear fruit we desire that the process should begin as early as possible. Why will you not let it?

There are now three definite proposals which have been placed before the Government during this budget debate. One is to do away with the internal security troops and to replace them where necessary by Indian troops. The second is to send away all but 15,000 British troops and replace them by Indian troops where necessary. The third is to reduce the British troops by 5,000 a year and in the course of 10 or 12 years remove them altogether from India. Some people might say "that will bring about chaos and confusion in India." I say nothing of the kind will happen. Our proposals are made on the basis of our relations with England continuing. If Britishers will let us continue our relations with Great Britain we are willing to do so. But if England will drive all the best minds of India to despair, if England will repeatedly show, as she has shown by her various actions, that she does not mean to play the game with Indians, you will undoubtedly drive the very best minds of India against you. We urge that the Government should take up this problem definitely. You have got under consideration the question of responsible government being established in India. It has often been said that the question of the establishment of full responsible government in India hangs upon the question of the Indianisation of the Army, upon Indians being able to defend their own country by land and sea. We are prepared to accept the responsibility. The thing that matters in matters military as well as civil is the rupee or the shilling. What did the English Prime Minister say at a critical stage of the last war, would count in the end? The shilling bullets, he said, would count. If we have the money to pay for the services of our officers and soldiers we can obtain them. India has paid throughout the period of her connection with England all the military charges. The Colonies did not pay anything towards the military charges for a long time, but India has always paid those charges, and India is paying the whole of the Army charges to-day. If so, there being no financial difficulty, all that is wanted is that India should be able to secure the services of the best soldiers and officers to her best advantage. We are willing that the services of English soldiers and officers should continue to be available to India for some time longer, but on a proper footing. You want that this service should be available to India on a different footing. That is where there comes in a sharp difference of opinion. Mr. MacWorth Young in his very plain and simple speech—quite straightforward in his method and manner—told us that that was the difference. The Britishers want to see that British recruitment should not fall; we want that the Indian

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recruitment should rise—a very frank statement of the position. But that very frank statement necessitates that we should have a little frank talk. If that is your determination that you will continue British recruitment on its present level and not give us a chance as we desire, pray for and solicit, you lose all the confidence of anybody in India who counts for anything. You have already lost a tremendous amount of it. If, on the other hand, you recognise the position, and if as the Government of India you should take up this question and put it before the War Office and the Parliament, you will be doing your duty by the country you profess to serve. The Statutory Commission is making an inquiry into the future constitution of the Government of India. But what will be the good of any recommendations which the Commission might make so long as that decision of the Government of England, of the British Cabinet, or the War Office, whoever it may be, on the recommendations of the Sken Committee stands? We feel that so long as that attitude continues, so long there is no prospect of our getting what is by nature, by law, by reason, our own. So long as you keep up the determination to have a certain percentage of British officers and a large number of British troops in India, so long as you will not help us to provide for the training of all the officers which the Indian Army of the future will need, so long you can postpone the day of the establishment of full responsible government in India. It is not necessary that it should be so delayed, so postponed. In other countries, in your own Colonies you did not insist upon their having a colonial army to defend their shores before responsible government was established there. My esteemed friend, Sir Sivaswamy Aiyer, in his little booklet on the Defence of India, drew attention to this fact that the Colonies were not required to have an army of their own ready when they were given responsible government. So, if you wished to deal with India in the way you dealt with the Colonies, the question of the immediate Indianisation of the army would not loom so large on the horizon. Sir Sivaswamy Aiyer says:

“A resolution of the House of Commons in 1802 laid down that while it was recognised that all parts of the Empire must have Imperial assistance against danger resulting from Imperial policy, the responsibly governed colonies should, as far as was possible, bear the expenses of their own internal defence and ought to assist in their external defence. The Imperial forces maintained by the colony were not withdrawn immediately upon the grant of responsible government without consulting the needs of the colony or so as to cause them embarrassment. It must be remembered that while self-governing colonies made no contribution to the cost of the military forces maintained by the Imperial Government, India has always shouldered the expenditure required for her defence, external as well as internal. The forces required for both these purposes have always been maintained by India at the cost of the Indian exchequer. The pecuniary obligations of self-defence having always been fulfilled by India, she may reasonably claim that the grant of responsible government should not be delayed on the ground that she may not be able to officer her own army with Indians. The inability cannot be ascribed to any fault of ours and we are anxious that it should be removed as early as possible consistent with the requirements of training and experience. The complete Indianisation of our army is not thus a *sine qua non* for the grant of responsible government.”

I submit that as in the case of the Colonies you acted in a reasonable spirit we are justified in expecting that after 150 years of our relations you will act towards us also in a reasonable if not a generous spirit. But you do not give any evidence of it by refusing to establish a military

college in India or by adopting a scheme for reducing the large number of British officers who officer the Indian Army and the British troops. That is our complaint against you, and this complaint becomes material in connection with the Finance Bill because, as I have said before, the high expenditure on the Army is naturally the result of the policy you are pursuing. If you will not give us even now a military college which will inspire in us the hope that in the course of a few years we shall be able to train our own officers, where is the hope of reducing the military expenditure? And if you must maintain the military expenditure as it is, most certainly it will not be by our votes, it will certainly not be by my vote that you will be able to maintain that expenditure.

Sir, there are many other grievances connected with the financial administration of the country which compel me not to support the Bill before us. We have seen that during the last five years of surpluses there has been no reduction of taxation except in regard to the cotton excise duty of which I have already spoken. We have seen how, in spite of all protests made, Government have not given effect to the Resolutions passed by this House on various items. Two days ago we heard the Army Secretary complain that we had turned down four propositions which were meant to help us. One was the Reserve Bank Bill. Now, Sir, I do not want to take up the time of the House by going deeply into that but I only wish to repeat that I consider that it was extreme good luck for the people of this country that we were able to defeat the attempt of the Government to establish a Reserve Bank as it was proposed. There may be some who think that India has lost a great deal by it. There are many amongst us who think that India has been saved much injustice and loss. We want the Reserve Bank to come into existence when we have the power of shaping the Reserve Bank Bill. We have not that power at present and therefore we are willing to wait until we have that power. The second complaint was we had not supported the position of the Government on the Sken Committee's recommendations. I have already referred to it. We have given good reasons why we have condemned the decision of the Government. The third was that we had turned down the Navy Bill. I am surprised that after the arguments addressed by my Honourable friend Mr. Shanmukham Chetty and other Members who spoke on this side anybody should misunderstand our attitude with regard to that Bill. We want an Indian Navy. God willing, we shall have one in time, but we want that we should have a voice in controlling it. We do not want to add to the departments of administration for which we are asked to pay but in the administration of which we have not a potential voice. We carried through certain cuts during the debate. They have all been restored. Of course they had to be restored because the Finance Bill could not be proceeded with. What does that prove? It proves that under the present constitution the representatives of the people are called in to discuss certain financial measures of the Government but they have not the power to enforce their decision. Even if they carry some propositions, the Government of India advise the Governor General to certify items against the decisions of the Assembly, and that finishes the whole matter. Now I ask, is there any other country which furnishes a parallel to this? High taxation mounting up after the war, surpluses produced as the result of high taxation, proposals of the representatives of the people substantially turned down, yet those representatives to be blamed for not giving their support to the Finance

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Bill which is the instrument for giving effect to the policy of the Government which disregards their wishes and tramples them under foot! I submit, Sir, this cannot be. I hope that the period during which this present system of government is to last is coming to an end. I hope that what has happened during this Session is an indirect index of what is coming to be in the near future. We have seen that during the last five years the opinion of the representatives of the people has been flouted to an extent never known before. We remember how the 1s. 6d. ratio was put on the Statute-book last year against the protests of the representatives of the people. That was an evil, Sir, the enormity of which is realized only by those who move in the circle of business men and who hear from the people the amount of unprosperity, the amount of unemployment that it has brought about. To-day, Sir, the country is poor. To-day, Sir, there is much unemployment. Trade does not flourish; all business men know that the purchasing power of the people has been diminished. Will anybody tell me what it all is the result of? I submit, Sir, it is the result of that great wrong of putting the rupee at 1s. 6d. which was carried out last year by the many manœuvres to which the Government had recourse in this House. I can never forget the pain that it cost us. I can never forget the tactics which were employed.

(At this stage there were thumpings by some Honourable Members of the table.)

Yes, some people want to cheer in derision but have not the courage to do so in the right way. (Ironical cheers.) Yes, that is something. Those cheers are mingled with the tears of millions of people in this country. (More ironical cheers.) I cannot recall, Sir, in the whole history of British Indian administration a greater piece of wrong inflicted upon the people than this raising of the rupee to 1s. 6d., and I do not know how long it will take to undo the evil effects of that step. We have also seen how the policy of the Government of India has worked in other directions. The Government has been compelled to resort to the very methods which some of our friends on this side of the House predicted they would have to. Last year the Finance Member said that he had no desire to borrow in London. Since 1923 borrowing in London had ceased, and he said on the floor of this House last year that he had no desire to borrow in London, and yet, as my friend, the Honourable Mr. Ghanshyam Das Birla predicted that the Government would be driven to borrow in England as the result of the 1s. 6d. ratio being adopted, it has turned true. Against what the Honourable Finance Member had said in this House, which was a promise to this House that he would not borrow in London, and against the practice which had prevailed since 1923 he did borrow in London to the extent of 7½ millions sterling. Will he explain to this House, can he explain to this House why that borrowing was resorted to except for the purpose of supporting the evil policy of fixing the rupee at 1s. 6d., for which he was largely responsible? Now, Sir, I do not know whether the Government will not borrow again this year in London. But I wish to warn the Government against the consequences of exasperating the people of India in this way. You know, Sir, that in 1921 the Indian National Congress passed a resolution that if the Government of India would not carry out a same policy, the country would repudiate the debts which the Government incurred after that date:

and let me say here, Sir, that if the Government will continue to play this game and to act on this bad policy of borrowing in London, the responsibility for it will be entirely theirs if the people will repudiate the debts. The situation, Sir, is more painful than I can describe. Here in India we have not the power to vote upon a nearly two-thirds of the expenditure which the Government incur. There in England, the Secretary of State can, without reference to this House, without regard to the wishes of this House, borrow and inflict a debt and a loss upon this country. I do not know, Sir, that any other people would have stood all this for such a long time as we have stood it; and I want the Government to realise the evil effect that it is producing upon the minds of the people of India. We do want a sound, a sane, financial policy to be pursued; we want that the Government should act in consultation with the representatives of the people who are here under the Statute under which the Government themselves are functioning. We want that where the Statute leaves it to the Government to consult the wishes of the people, they should not flout Indian public opinion. That is the least which we can ask from Government, but we find that even that is denied to us. Not only large portions of the expenditure are non-votable, but even in matters where we have the right to vote, our votes are disregarded. In matters where our wishes should prevail, even under the present Statute, they are disregarded. And in these circumstances, Sir, we are asked to support the Finance Bill. How can we? How can we?

I submit, Sir, that the British Government are pursuing a very wrong policy with regard to India. Their dealings with Egypt, their dealings with Iraq, are before us. They have alienated the peoples of those parts of the world; they are alienating the people of India; and I submit it is wrong, it will not help them to continue to do so. Therefore my earnest request is that the Government of India should promise before the Finance Bill is finally put to the vote, that on behalf of the Government of India, the Honourable the Finance Member should promise, that the matters which have been brought to the notice of the Government will be considered during the next year, that the question of a further reduction of the expenditure of the Army by a change in the policies and principles under which the Army is at present administered will be strongly recommended to the Government in England, that a Retrenchment Committee will be appointed to go into other departments to see where expenditure can be reduced, before the motion before us is put to the vote. My friend the Honourable the Finance Member smiles. I wish him joy. This is the last occasion on which we shall have the opportunity of discussing questions in which we differ. I should be very sorry if anything that I have said at any time should be interpreted by my Honourable friend as personal. If I ever did so, it was by a mistake and not by intention; but I do feel that the administration of the finances of the Government of India during the last five years has not been for the benefit of the people. I may be wrong, but I do feel it, and I have therefore said it. But my duty is not merely with the past; my duty is with the future, and I do wish that the Honourable the Finance Member, who is undoubtedly one of the ablest financiers who has come to this country (Hear, hear), who is undoubtedly one of the ablest men in the world of finance, and who can, when he has made up his mind, carry out a policy, who has been gifted with that amount of will power which is necessary to carry out what a man

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has determined, would help us, by reason of the five years of connection which we have had, to have this financial policy of the Government of India revised. I appeal to him to remember that whatever of harsh things we have said has been the result of the pain that we have felt on these questions, and to see if, by reason of the five years that he has spent in the service of India, he can yet find it within him to help to have the financial administration of this country revised by those whom Providence has placed over us. But, Sir, whether he will do it or his successor will do it, or whether another body of men will do it, the solution has to come; a change in the present situation is essential; the present system with all its evils cannot continue long without creating greater and greater differences between the people and the Government of India. I submit that these differences are becoming more and more acute and I wish to make a confession here before I conclude. I feel that the maladministration of India, so far as the financial and Army portions of the administration are concerned is sufficient to justify every single man in India to declare that he will own no allegiance to this Government so long as the present system lasts. I feel that if the Government will not reform the administration early and not put it on a sound footing, there will be a greater and greater breach between the people and the Government. Two things we must have, and have with as little delay as possible. They were well stated for us by Mr. Ramsay MacDonald in one of his letters. He said:

"Whatever form the governing machinery may take, two things must be granted. In the first place, the Viceroy's Council must be of the nature of a Cabinet and must be responsible to the representative authorities. Secondly, India must have control of her own finances. I hope that broad-minded wisdom is to assist both of us to arrive at a happy conclusion."

Lala Lajpat Rai: He is no longer the same Ramsay MacDonald.

Pandit Madan Mohan Malaviya: He is no longer in office, but I venture to think that he still retains his old love for justice and freedom, and I am encouraged in that hope by what he said on the 25th of November, 1927, in the House of Commons. He said:

"We have now reached a point in this evolution when the time has come for us as a Parliament and as a nation to say to them (Indians) what many of us have had to say to our children who have grown up—'you are going out into the world; I have done my best for you whilst you were under my wing and whilst I was responsible for you, and now take the responsibilities of manhood upon yourselves, and God bless you in your future career'."

Lala Lajpat Rai: Hypocritical!

Pandit Madan Mohan Malaviya: I believe, Sir, that Mr. Ramsay MacDonald will prove true to his word when the hour of trial comes. I have drawn attention to this to show that even among those who support the present system of government there is this feeling that in two matters at least the Indians must get what they want. The first is a cabinet government fully responsible to the people, and not a government like the present one where it seems that appointments are made with a purpose to show that the Government does not care for Indian opinion, where appointments are made with as much disregard of educated Indian opinion as there could be. We want these things to end. We want that the men who are appointed should remember the purpose for which they are

appointed. Mr. Montagu and Lord Chelmsford made it clear that the Indian Members of the Executive Council of the Governor General were expected to present the Indian point of view in the Councils of the Government.

Lala Lajpat Rai: Mr. Montagu is dead.

Pandit Madan Mohan Malaviya: Yes, Sir, Mr. Montagu is dead. Long live his memory! He was a good man and did us a good turn. I hope his spirit is still alive, and is to be found in the minds of some Englishmen, some Scotchmen, some Britishers. The present system of government which is utterly irresponsible must soon end. We want an Indian Finance Member. I very much wish that the Finance Member who is to succeed our friend the Honourable Sir Basil Blackett should be an Indian. We feel that our English friends have had long innings from 1858 downwards. They have largely mismanaged the finances of India; let us have a chance now of having an Indian financier as a Finance Member. That is one thing we want. (*An Honourable Member:* "No chance".) No chance, I do not agree. I feel sure we are going to have a chance. The second thing is, we must have the Executive Government made fully responsible to the representatives of the people. The present system, Sir, has become entirely intolerable. I quoted in an earlier speech from Lord Durham regarding the conditions which obtained in Canada at the time when responsible government was introduced there. I will ask the indulgence of the House to quote it again so that it may remind us once more of what that position was. It will appear from it that the conditions there were in 1834 very much what we find in India to-day under the present constitution. He stated:

"The powers for which the Assembly contended appear in both instances to be such as it was perfectly justified in demanding."

These are the powers which we want—the power to control our domestic affairs, in the Home Department, in the Finance Department, in the Industries Department and all the other departments of the Government of India, subject to such understanding as may be arrived at for a short period in relation to the Army and Navy and to foreign and political relations. Lord Durham went on to say:

"It is difficult to conceive what could have been their theory of government who imagined that in any colony of England a body invested with the name and character of a representative Assembly, could be deprived of any of those powers which, in the opinion of Englishmen, are inherent in a popular legislature. It was a vain delusion to imagine that by mere limitations in the Constitutional Act, or an exclusive system of government, a body, strong in the consciousness of wielding the public opinion of the majority, could regard certain portions of the provincial revenues as sacred from the control, could confine itself to the mere business of making laws, and look on as a passive or indifferent spectator, while those laws were carried into effect or evaded, and the whole business of the country was conducted by men in whose intentions or capacity it had not the slightest confidence. Yet such was the limitation placed on the authority of the Assembly of Lower Canada; it might refuse or pass laws, vote or withhold supplies, but it could exercise no influence on the nomination of a single servant of the Crown. The Executive Council, the law officers, and whatever heads of departments are known to the administrative system of the Province, were placed in power, without any regard to the wishes of the people or their representatives; nor indeed are there wanting instances in which a mere hostility to the majority of the Assembly elevated the most incompetent persons to posts of honour and trust. However decidedly the Assembly might condemn the policy of the Government, the persons who

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had advised that policy retained their offices and their powers of giving bad advice. If a law was passed after repeated conflicts, it had to be carried into effect by those who had most strenuously opposed it. The wisdom of adopting the true principle of representative government and facilitating the management of public affairs, by entrusting it to the persons who have the confidence of the representative body, has never been recognised in the government of the North American Colonies. All the officers of Government were independent of the Assembly; and that body, which had nothing to say to their appointment, was left to get on as it best might, with a set of public functions, whose paramount feeling may not unfairly be said to have been one of hostility to itself."

I submit that this is very much like the system prevailing here to-day and I submit it cannot last much longer. I hope that everyone of us recognises the evil of it to the full. The cup is full to the brim. It is unbearable. I hope that the Government and the people will combine to bring about an early solution, and I hope that when 1930 comes it will see that the British Parliament has had the wisdom and generosity to put a Statute on the Statute-book providing for the establishment of full responsible government in India, and that that year will not be allowed to pass without such an enactment being placed on the Statute-book.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President in the Chair.

Mr. President: The House will now resume the further consideration of the motion moved by the Honourable Sir Basil Blackett, that the Bill be now passed.

Mr. Kikabhai Premchand (Bombay: Nominated Non-Official): Sir, I rise to support the motion that the Finance Bill be passed. This bill, Sir, should properly be viewed not by itself but in relation to the whole financial administration of my Honourable friend Sir Basil Blackett during the period of his stewardship of Indian finances. Whether we consider the financial prosperity of the country merely disclosed by this Budget or by the series of financial operations which he has successfully carried through during his term of office, one cannot but be struck by the fact that the Finance Member has been actuated by a singleminded desire to put the burden of taxation as lightly as possible on the shoulders of the Indian tax-payers.

Let us, Sir, consider the position of the tax-payers as it was in 1923 and as it is to-day. Let me take, first, the incidence of interest charges. I do not propose to follow the various confusing arguments which were brought forward during the general debate on the Budget clouding the real situation. The plain facts are that on the 31st March 1923 of the total debt of 879 crores about 255 crores were not covered by any assets in the form of Railways or other productive undertakings and the tax-payers had to find the interest charges on this amount. Comparing, Sir, the position on the 31st March 1928, out of a total of 992 crores the tax-payer has only to find the interest charges on 179 crores and the balance is all covered by tangible assets which relieve the tax-payer of contributing to the service of that debt. The unproductive debt of 255 crores at the time Sir

Basil Blackett took charge included about 100 crores which was the result of the deficit of the preceding year. Thanks to the strenuous endeavours of the Finance Member, the era of deficits has passed away and of the 100 crores of unproductive debt added on this about 76 crores have been wiped out. It is a matter for sincere congratulation that if the recent rate of progress in the financial administration is continued the tax-payer will be relieved of all that deadweight debt as early as possible.

Sir, a second point in which I as a business man and the whole commercial community are interested is the appreciation in the market prices of Indian Government securities both in India and outside. Members of this House are aware that a Committee for the rehabilitation of the 3 and $3\frac{1}{2}$ per cent. securities was appointed some years ago and made certain recommendations. The Honourable the Finance Member, without taking any steps towards a direct subsidy to the holders of the 3 and $3\frac{1}{2}$ per cent. securities, has, by his judicious debt remission policy, brought about a remarkable improvement in the price of the securities. The $3\frac{1}{2}$ per cent. paper, which was 57 on the 1st February, 1923, has risen to 76 at the present moment. I want the House to imagine, Sir, the happiness and comfort of the poor holders of $3\frac{1}{2}$ per cent. paper who found their capital at one time rapidly vanishing and who have now the satisfaction of having both their capital and their income stabilised. This, Sir, is no small achievement for a Finance Member within his term of office. I am grateful, Sir, to the Finance Member for the abolition of the excise duty on cotton. It was an obnoxious duty for the extinction of which the whole of India was clamouring and it is to the everlasting credit of the Honourable the Finance Member that he was able to make a clean sweep of that duty during his period of office. I agree, Sir, with my friend, Sir Purshotamdas Thakurdas, that all is not yet well with the cotton industry and I share his hope that the Government of India will continue to take a greater interest in the important national industry of the country.

I cannot omit, Sir, to mention the welcome relief that the Honourable the Finance Member has afforded to the provinces by the final extinction of provincial contributions. I do not propose to go into that matter further. But I should like the House to consider the extinction of provincial contributions side by side with the systematic policy which the Honourable the Finance Member has adopted of reducing the interest rates on the advances granted to Provincial Governments. Capital expenditure, both productive and developmental, on the part of the Provincial Governments depends on cheap finance, and the House will realise when I say that the interest rates charged by the Government of India to Provincial Governments on the advances granted to them have been systematically reduced from 6 per cent. in 1923-24 to 5 per cent. in 1927-28. In addition to taking away the millstone of provincial contributions, the Finance Member has also lightened the weight of interest charged to provinces. I may add, Sir, that from these loans from the Government of India the provinces are financing various schemes of lasting benefit to the country, schemes like the Sutlej Valley Project and other irrigation works and the various hydro-electrical schemes.

It is sometimes thought that the extinction of provincial contributions has benefited only the provincial tax-payer and the various proposals to reduce the salt tax and postal rates have been put forward to afford some relief to the central tax-payer. It need hardly be said, Sir, that there are

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no such distinct entities as the provincial tax-payer or the Imperial tax-payer. In almost every case, the same individual has to pay both forms of taxation, and any relief afforded in one direction certainly goes to relieve the general position of the Indian tax-payer.

I should not omit to mention the laudable efforts of the Finance Member in the establishment of the Virangam Line and the stoppage of leaking of Indian revenues. I am grateful, and indeed the whole commercial community of Bombay is grateful, for the efforts of the Honourable the Finance Member in this direction.

This is perhaps not the place, Sir, to refer to the sad history of the Reserve Bank, which the House decided to postpone *sine die* during this Session. I have always pleaded for the creation of a Reserve Bank on orthodox lines, free from Government influence and from the manipulations of party politicians. The establishment of such a Reserve Bank is a fundamental necessity for any civilised country; and though Sir Basil Blackett may go with his desire unfulfilled, I am confident that his successor will take it up as soon as possible. The establishment of a Reserve Bank for India will be a great step forward in the improvement of India's financial and monetary machinery. I may assure you, Sir, that while we hope that the Finance Member's successor will take up this question as early as he can, commercial circles in India will also agitate for obtaining a Reserve Bank on truly orthodox lines.

Time does not permit me, Sir, to recount the various other improvements which have been effected in the financial administration of the country

Mr. President: There is no time limit. (Laughter from the Congress Party Benches).

Mr. Kikabhai Premchand: I am not an orator, Sir, like the gentlemen sitting on the opposite Benches, still I can go on for hours.

Well, Sir, any one of the improvements that I have just mentioned will be enough to characterise the administration of the Finance Member as successful. The fact that it has been given to Sir Basil Blackett to carry out all these reforms during his period of office redounds to his credit and his ability. I appeal to the House in general and to business men in particular not to disturb the equilibrium obtained after a good deal of trouble and sacrifice.

Mr. S. Srinivasa Iyengar (Madras City; Non-Muhammadan Urban): Sir, I also oppose the motion that has been made for the passing of the Finance Bill; I am particularly saddened by the singing of praises which has just proceeded from my Honourable friend opposite. I consider, that all elected representatives of the people of this country and others who sympathise with their exertions for a free India should vote down this Finance Bill for a variety of reasons. Several reasons have been advanced in the elaborate speech which my friend Pandit Madan Mohan Malaviya, with his vast and varied experience, has made this morning. His optimism is perennial; my optimism, however, occasionally suffers a set-back.

I must say, Sir, that the first reason for which I oppose unhesitatingly this most mischievous measure, I mean the Finance Bill, is that the Government of India, under sub-section (7) of section 67A of the Government

of India Act, have chosen, within the twinkling of an eye, to restore the substantial cuts which have been made by the decisive votes of this Assembly after the most careful and deliberate consideration of all points of view. I really cannot understand what this Assembly is for and what this trifling with the rights of this House means. Where is the promised convention, and where is the power which His Excellency the Viceroy in his speech last year asked us to assume, though it may not be stated in the four corners of the Statute? Where is all that to come from when after our decisions the Government restores these grants?

I notice, this was not an authorisation by the Governor General alone under sub-section (8) of section 67A of the Government of India Act on the ground that in his opinion certain expenditure was necessary for the safety and tranquillity of British India or any part thereof. On the other hand, it is a decision by the Government of India, that is the Governor General in Council as a whole, that in their opinion these Demands which have been reduced are essential for the discharge of their responsibility. The Executive Council is represented in this House, and I submit, Sir, that they were parties to this debate, and it is really trifling with us when the Members go and restore these Grants. It reminds me that in spite of the pompous statutory verbiage this House has no real control over the purse, either comprehensive or effective. Nearly three-fourths of the expenditure of the Government of India excluding that upon Railways is withdrawn from the vote of this House. As to the remaining one-fourth, we have seen time and again, and this year in a most catastrophic fashion, that the Government again and again restores Grants that are withheld or amounts that are reduced by votes of this House. Therefore it is quite obvious that we have really no power of the purse and that power of the purse is not comprehensive for, as I said, nearly three-fourths, roughly speaking, of the central expenditure is withdrawn from the vote of the House. In this state of things how can it be contended that it is the duty of this House to vote in favour of a Finance Bill upon which we are told we can exercise our votes while there are all the galling restrictions which are placed upon the expenditure side? I submit, in addition to this, if we review the administration of the last 12 months since March, 1927, we cannot congratulate ourselves upon possessing a government of this pernicious description. It is astonishing to me that any Cabinet, whether it is technically removable or irremovable, can be regarded as a self-respecting Cabinet if it retains office still after the crucial votes repeatedly calling upon the Cabinet to resign which were passed the other day. I submit, Sir, that we cannot congratulate ourselves at the close of the first ten years' period that we have got what has been promised to us, that there has been any progressive devolution of power from the British people to the Indian people, that there has been any progress towards Swaraj or freedom. On the other hand, whatever power was given to the people by the one hand has been taken away by the other and all possible efforts are being made to tighten the bolts and screws of the machinery so as to make it impossible for us to get any expansion of the constitution. I do not think that an irresponsible bureaucracy is entitled to put before this Assembly this Finance Bill and ask us to vote in favour of it. I am not concerned with the difficulties of the bureaucracy. We are told time and again, if we urge in favour of Swaraj and in favour of popular administration, arguments in multitudinous detail, that our demands cannot

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be agreed to. If again some of the Members of the House on this side, after a careful perusal of the various reports and statistical and other literature bearing upon sundry subjects, indulge in copious detail and enforce every argument by a wealth of illustration, we only find shining platitudes flung at us from the other side saying that they cannot do anything further. We are to-day face to face with a constitutional deadlock. I have not the slightest doubt that that deadlock is as much realised by the Government as by Members on this side of the House. Our votes do not count at all. Our weightiest decisions do not count. Resolutions passed by the Assembly are not given effect to. A Resolution like that upon the Skeen Committee which was passed by the Assembly last Simla Session cannot be given effect to; on the contrary, the other day we had a preposterous announcement turning down very modest and humble proposals. In this state of things how can we say that this Government is administering the affairs of India in such a fashion as to enlarge the liberties of the people of this land, as to deserve the confidence of their elected representatives in this House, as to entitle Government to require of us their supplies or to require of us sanction for proposals of expenditure? It is obvious this Government has not in any sense, either technically or substantially, our confidence to any extent in any matter. It is equally obvious that the elected Members of this House do not command the confidence of the Members on the Government Benches. Therefore I say that the deadlock is most serious and very visible. In this state of things, we cannot vote in favour of a farcical measure of this description. Then, we are told that the Army expenditure is very important and therefore this Finance Bill should be passed. I submit the Army in India is not a national army and the expenditure on it is out of all proportion to the resources and needs of the country. The Army in India is an insurance for British rule in India and is not an insurance for the freedom or happiness of the Indian people. We have also realized the dangers and difficulties of being linked to an Empire which considers that in its own interests the Indian Army should be maintained on this huge scale and with British officers and soldiers. Nor am I able to say that the status of Indians abroad is protected by this Government. Whether in Canada, or in the United States of America or in Kenya, Indians who are there or who seek to go there are not properly looked after by this Government. If we had a responsible Government, our position would be altogether different and easy. What is the price we pay for this Empire? It is enormous, and the humiliating position of the Indians abroad is the further price we pay for this Empire. We are not able to congratulate ourselves or the Government either on any policy of retrenchment of expenditure, reduction of taxation or relief of unemployment, or on any rational and national system of education. Nor can I congratulate the Government on having pursued a steady and helpful policy in the way of realising one of the spiritual ambitions of the Indians in this land, both Hindus and Muslims, in the matter of prohibition. I do not see, with these grievances being frequently before us, how we can be asked to vote for a Bill of this description. We cannot willingly put fetters upon ourselves; we cannot manacle ourselves; and we cannot go into the house of bondage. We are trying to get rid of our fetters. Therefore I have no use for congratulations or expressions of gratitude which must be confined to parts of the House where they can be real or conventional. I myself think that the Government have realised

in this Session more than in other Sessions, how much more of real communal unity and how much more of real political unity between the various parties of this country has been brought about, and they must know that this memorable Session, in which the voice of the people has prevailed in no ambiguous fashion, is due to that general communal harmony and to the cordial co-operation between the various political parties represented in this Assembly. Therefore, the frequent reproach that has been made that Indians are not able to unite on critical occasions is a reproach which is thoroughly baseless, and I hope we have heard the last of that reproach. I am not a reader of what is in the hearts of Members on the other side, but I do think that they must have realised this time, with a shock it may be, how a united India can really impose its will upon an alien bureaucracy. But, Sir, the fetters of the Statute are there. The gilt and pomp of the Government of India Act, present or future, do not appeal to me. What we want is the pavement of good deeds. We do not want the pavement of good intentions to which constant reference has been made by Government Members and spokesmen. There are other places which are paved with good intentions. What I do find, Sir, is this, that we have neither a good government nor a responsible government and our demand for Swaraj falls on increasingly deaf ears, not congenitally deaf but voluntarily deaf. I do not know whether smooth words or a conciliatory manner can retard the irresistible march of events. I can only say for myself that I am face to face not with a good government or a responsible government but with organised hypocrisy and arrogant autocracy.

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): I desire to oppose this motion by way of protest against the policy of Government in not giving due recognition to the Muhammadan claims to service under the Government of India. The injustice that is being done to the Muhammadans is so glaring and the feeling of dissatisfaction in the community is so widespread that I thought it my duty even at this late hour to raise my feeble voice of protest, though I know that it will prove only a voice crying in the wilderness. At the very outset I would ask the indulgence of the House to bear with me for a few minutes while I inflict on the House a formidable array of figures. That I thought is the best way of bringing home to Honourable Members the utter inadequacy of Muhammadan representation in the services. Instead of taking up the time of the House in making general observations I shall refer directly to figures. That will prove more conclusively than anything that I can say the very deplorable position of Muhammadans in the services.

I shall take the Commerce Department first. In the statement of gazetted officers and officers of the corresponding rank employed on class I of the Railways, I find that in the Agency Department out of 75 employees, only 2 are Muhammadans. In the Engineering Department out of 874 only 24 are Muhammadans. In Transportation out of 410 only 24 are Muhammadans. In the Commercial out of 72 only 3 are Muhammadans. In Mechanical Engineering out of 305 only 1 is a Muhammadan. In Stores out of 69 there is not a single Muhammadan. In other departments out of 332, only 4 are Muhammadans and out of a total of 2,143, only 58 are Muhammadans. It works out to the magnificent percentage of 2.7. Then coming to the subordinates drawing a salary of 250 and over, I find the same story is repeated there also. In the Agency Department out of 98 only 5 are Muhammadans. In the Engineering Department out of 1,527,

[Maulvi Abdul Matin Chaudhury.]

139 are Muhammadans. In Transportation out of 2,150, only 41 are Muhammadans. In the Commercial Department out of 145, 10 are Muhammadans. In Mechanical Engineering out of 3,291 only 47 are Muhammadans. In the Stores Department out of 154, 9 are Muhammadans and in the other departments out of 930, 34 are Muhammadans. Out of a total of 8,295, only 285 are Muhammadans. In the Audit Offices, the evil also exists in a still more aggravated form. In the office of the Chief Auditor, North-Western Railway, out of 1,119, 178 are Muhammadans. In the office of the Chief Auditor, East Indian Railway, out of 78, only one is a Muhammadan. In the office of the Chief Auditor, Great Indian Peninsula Railway out of 821 only 12 are Muhammadans. In the office of the Chief Auditor, Eastern Bengal Railway, out of 514 only 8 are Muhammadans. These figures are so eloquent that I refrain from making any comments and I pass on to the Industrial Department.

Here too, Sir the figures are as dismal as in the case of the Commerce Department. In the Industrial Department, Industries Branch, out of 64 total employees, only 9 are Muhammadans. In the Public Works Branch out of 31, only 5 are Muhammadans. In the office of the Controller of Stationery in Calcutta out of 93, 5 are Muhammadans. In the Central Forms Stores office out of 66, 8 are Muhammadans. In the office of Government of India Press, Calcutta, out of 78 only one is a Muhammadan. In the Central Publication Branch, Calcutta, out of 64, 8 are Muhammadans. In the Stamps Department out of 297, 27 are Muhammadans.

I should like to say a few words about the Postal Department. In reply to a question of mine the Honourable Mr. Sams supplied me with a statement showing the figures of Muhammadans in different cadres in postal services. That statement, Sir, revealed a state of affairs which is most deplorable. The figures about the Punjab and the United Provinces, though they are unsatisfactory in certain respects, I do not think call for any strong comment, but the figures about the other provinces are simply horrible. I shall give you the figures one by one.

In the Bengal and Assam circle out of 30 Superintendents of Post Offices only one is a Muhammadan. When I asked the Honourable Mr. Sams—I am sorry he is not here—whether it was a fact that since the establishment of British rule in India no Muhammadan from the province of Assam had yet been appointed to the office of Superintendent of Post Offices, he replied that he very much regretted that, the old records being destroyed, he was not in a position to answer my question. I hope, Sir, his regret was genuine. But the fact remains that from all the records that are still available he could find no trace of a Muhammadan being appointed to a Postal Superintendentship in Assam. Then as regards gazetted Postmasters, out of 8 postmasters not one is a Muhammadan. Out of 26 non-gazetted Postmasters drawing a salary up to Rs. 350, there is only one Muhammadan. As regards Postal Inspectors the position is still worse. Out of 62, there are only two Muhammadans. Mr. Sams in reply to a question of mine explained that appointments to the post of Postal Inspectors and Railway Mail Service Inspectors are made by departmental examination and by promotion, not by direct recruitment. I am not quite sure, Sir, that this rule of confining appointments to departmental promotions only was not deliberately made with the intention of shutting

out Muhammadans, but what I do feel is that not to appoint Muhammadans in the first instance and then to turn round and say that there are no Muhammadans you can promote is a policy which is neither just nor fair. I shall give you certain figures now, Sir, about Bombay and Madras. The same story is there also. In Bombay out of 24 Superintendents, only one is a Muhammadan. Out of 5 gazetted Postmasters only one is a Muhammadan. Out of 26 non-gazetted Postmasters only two are Muhammadans. Out of 42 Postal Inspectors, there is not a single Muhammadan. Out of 23 Railway Mail Service Inspectors there is not a single Muhammadan. Out of 132 clerks in the Postmaster General's office only six are Muhammadans. In the Central Circle out of 16 Superintendents, one is a Muhammadan. Of the gazetted Postmasters there is not a single Muhammadan. Among the non-gazetted Postmasters there is not a single Muhammadan. As for clerks in the Postmaster General's Office, out of 74 only 13 are Muhammadans. In Madras, Sir, out of 26 Postal Superintendents, only 4 are Muhammadans. Among gazetted Postmasters there is not a single Muhammadan. Out of 15 non-gazetted Postmasters, there are no Muhammadans. Of 55 Inspectors, only 3 are Muhammadans, and out of 122 clerks in the Postmaster General's office, only 3 are Muhammadans.

Now, I come to the Finance Department (Applause). It seems to me, Sir, that these Departments, Finance, Commerce and the Department of Industries and Labour vie with one another as to which can do the greatest injustice to Muhammadans. There seems to be an unholy competition between them as to which will exclude Muhammadans most. Comparison is difficult between figures that are bad throughout but I think the figures for the Finance Department are the worst. In the Finance Secretariat, out of 85 clerks only 8 are Muhammadans. In the Auditor-General's office out of 86 only 5 are Muhammadans. In the office of the Director of Army Audit out of 86 only 4 are Muhammadans. In the office of the Audit Officer, Indian Stores Department, there is one out of 65. In the office of the Director of Audit, United Provinces, there are 9 out of 138. In the Accountant-General's Office, Central Provinces, there are 8 out of 199; in the Accountant-General's Office, Bihar and Orissa, there are 13 out of 230; in the office of the Accountant-General, Madras, there are 16 out of 506. In the office of the Accountant-General, Bengal, there are 8 out of 423; in the office of the Accountant-General, Bombay, there are 3 out of 524; in the office of the Comptroller, Assam, there are 5 out of 146. In the office of the Controller of Currency, Calcutta, there is one Muhammadan out of 53; in the Currency Office, Bombay, there is no Muhammadan out of 79; in the Madras Currency Office, there is no Muhammadan out of 97; in the Currency Office, Cawnpore, there is one Muhammadan out of 65; in the Currency Office, Rangoon, there is 1 Muhammadan out of 85; in the Calcutta Paper Currency Office there are 2 out of 343. In the Military Accounts Office 339 out of 4,177.

Still, Sir, my friend Chaudhuri Mukhtar Singh is very much upset that two Muhammadans have been posted, one as Assistant Manager in the Aligarh Press and another in the Simla Press. I hope, Sir, that the figures that I have given will give solace to him.

Mr. Mukhtar Singh: If my friend turns to the figures in the Industries Department in any press, he will find that Muhammadans are much more in number than the Hindus.

Maulvi Abdul Matin Chaudhury: In the Government Press, Calcutta, there is 1 Muhammadan out of 78; in the Central Publication Branch, 8 out of 64; in the Central Stationery and Stamp Office, Calcutta, 5 out of 193. These are the figures.

In fairness to the Government, I must say this much, that occasionally, in fits of righteousness, they issue circulars for safeguarding the interests of Muhammadans in the services, but they do not care to see how these instructions are being disregarded. The Honourable Sir Basil Blackett the other day told us that he had no reason to believe that his instructions were being disobeyed. I will give you a few instances in which they have been disobeyed. Sir, the Railway Clearing Accounts Office was started in the year 1927 after the Home Department had issued a circular about communal representation in the services. In that office we find that out of 750 clerks only about 55 are Muhammadans. Why is representation of Muhammadans in the newly started office so meagre? Evidently the officer responsible for appointments has disregarded the Government circular. Of the fresh appointments of 15 accountants and half a dozen clerks made by the Accountant-General, Railways, after April 1927, all have gone to the non-Muslims. Since January 1927, 11 appointments were made in the ministerial establishment of the Railway Board, out of which only one has been given to a Muslim. About 12 appointments have been made by the Audit Officer of the Indian Stores Department, and not a single appointment has been given to a Muslim. Last year 3 Excavation Assistants were employed by the Archaeological Department and not one of them was a Muslim. I do not want to tax the patience of this House by quoting more figures and I shall conclude my remarks by making a few general observations.

I do not grudge, Sir, the Government of India any satisfaction that they may derive from this record of achievement, but I have some duty to my constituents and I wish to tell a few plain truths to both the sides of the House, however unpalatable they may be. In this House we have heard very indignant and very eloquent protests against what is called racial discrimination in the services. But, Sir, a more extensive abuse of communal discrimination in the services seems to escape the notice of Honourable Members. My Honourable friends on my right take a good deal of trouble in ventilating grievances against the Government, but they seem to be quite indifferent about this. And, Sir, they can very well afford to be indifferent because it is their constituents who gain a surreptitious advantage from their connivance or ignorance. So long as the Muslims continue to be deprived of their legitimate share in the services it is a very poor consolation to me that the usurper happens to be my neighbour and not a man from Timbuctoo.

As regards the Government, it seems to me that all the departments of the Government of India are apparently afflicted with that peculiar malady which is called the "Muslim-phobia". The record of one department is as bad as that of another. Still when we interpellate in the House, we meet with evasive answers. When we move Resolutions, we hear high sounding platitudes and empty promises which are never fulfilled. The usual excuse is trotted out that efficiency should be the sole criterion for admission into the various services, as if, Sir, anybody suggested that it should not be the criterion. We are tired of hearing all this cant about efficiency. I can assure you that if there is less of jobbery, less of nepotism, less of communal bias in Government Departments, more

Muhammadans are bound to come in who will satisfy the requirements of efficiency. Whatever may have been the position a few years ago, to-day I do not think any one can seriously suggest that qualified Muhammadans are not forthcoming for these petty posts of clerks in the Secretariat, Postmasters, Postal Inspectors and officers of that sort. What is really wanting is the will to appoint Muhammadans and not qualified candidates.

Before I sit down, Sir, I want to make one point perfectly clear. We are not asking for any favours, concessions, doles or anything of that sort. We are only claiming our due, proper, and legitimate share in the services of the country. We pay our taxes in as bright and sparkling King's coins as anybody else and we very much resent that we should be treated as pariahs, and that the doors of public offices should be shut against us as places of public worship are shut against the untouchables. Lord Reading assured the Muhammadans that the Government would aim at securing one-third of the appointments under the Government to them. But, Sir, this assurance has been honoured more in its breach than observance. Still, it is always very sedulously advertised that the Government is very friendly and very sympathetic towards Muslim aspirations. If, Sir, what I have quoted is a sample of sympathy and friendship, I can only say—May God save us from such friends!

Mr. Arthur Moore (Bengal: European): Sir, I did not come here intending to make any speech. It was only this morning when I heard the speech of the Honourable Pandit that I realised that the Finance Bill was in danger, and as I listened to that speech and realised what is happening around us this afternoon, I had an extraordinary sense that on this Saturday afternoon something exceedingly important and grave is at stake. I would like the Honourable Members opposite to consider well and long what they are about to do. This is a thing which has not happened since 1924. It has happened but once. I would like Honourable gentlemen opposite in their own minds go over the history of the past, of the 7 or 8 years that this Assembly has been in existence, and to consider well whether they are sure in their heart and conscience that what they are about to do this afternoon is in the best interests of India. When this Assembly first came into being in 1921 it was a House which I think caused throughout the British Empire a feeling of pleasure and delight. There were many who quite sincerely opposed the Montagu Act. They thought it disastrous, a risky experiment, and they sat back and said, "Wait and see." The House came into being. It was a House which displayed from the outset an extraordinary aptitude for public affairs, and an extraordinary interest in public affairs. It confuted the critics, and on its own merits it obtained justice from the Press of the world. Throughout the world the report went forth that Indians were displaying an aptitude for parliamentary government and a sense of responsibility. In the very first Session so profound was the impression that the Government of India accepted a Resolution and, I think, even had some responsibility for drafting it, which suggested a further extension of the powers of the House. The following year, in 1922, the financial situation was extraordinarily gloomy. There was a deficit in the Budget and the state of affairs, which was the aftermath of the War, made everyone concerned with India feel that we had arrived at a serious moment. The Assembly with its admittedly limited powers rose to the occasion. It produced a series of cuts in that Budget which were accepted, and by its action it forced the

[Mr. Arthur Moore.]

appointment of the Inchcape Committee. The result of that was the recasting of the whole financial situation of India. That was the achievement of the first Assembly. In its third Session there was a certain set-back. The financial situation was still serious. The present Finance Member had just taken over and he achieved the great feat of balancing the Budget. To do that he put an extra tax on salt. The Assembly would not stand for that. Well, Sir, I have always doubted the wisdom of Government in not accepting the vote of the Assembly. I have always thought that since we wished to encourage parliamentary institutions in India we should have accepted the vote of the House. In this matter I hope I am absolutely impartial. Nevertheless the Finance Member, as I said, achieved the great feat of balancing the Budget. Quite apart from the parliamentary issue, he rendered a great financial service to India, and I am not sure that the Assembly had examined the question in all its bearings. Still, that was but a set-back. The reputation of the Assembly was high. What it said mattered. Government listened to it. An adverse vote was an extraordinarily serious thing. Then the ban was lifted. Honourable Members opposite came into this Assembly. Let them cast back their minds and honestly say whether by the policy which has since been pursued they have improved matters. Have they heightened the prestige of this Assembly, or have they turned Government into a set of shell backs who no longer care what happens in the division lobbies? In their very first Session they threw out the Finance Bill. Sir, I think they themselves must admit that the results of that action were disappointing. Certainly, the shock to opinion in England was very great. The next year the mistake had become palpable to my Honourable friend Pandit Malaviya. It had become palpable to Mr. Jinnah, and to a great many others. So it was not possible to repeat that stroke in 1925, in 1926 or 1927, and I think that during those three years the Assembly to an extent regained part of the position which they were in danger of losing by their shock tactics of 1924. Honourable Members have co-operated. They have supported the Government on Bills which they conceived were in the interests of India, such as Bills for the protection of industry. They have worked with us on Committees. They have done a great deal of public work and they have not carried into Committees any partisan or destructive spirit. But, Sir, we are back at the old position. Now I have never concealed my opinion that we should have done better if we had had a mixed Commission instead of a purely Parliamentary Commission. If we have to-day a worse atmosphere than we had in Simla last August, I am not disposed to lay the whole blame on the Benches opposite. The mere fact that the situation as it is to-day could be definitely and precisely foreseen by some people, and was actually put in writing before such a Commission was announced or appointed proves that it was possible to foresee the excess of rancour which has been imported into the situation. But let us leave all that aside, and consider with coolness the interests of the country. I think that Honourable gentlemen opposite know that there are on my left a great many people who have sincerely the interests of the country at heart, and equally we are aware that there are many Honourable gentlemen opposite who sincerely have the interests of the country at heart, and have no other interest at heart. I say it is for us to consider whether at this moment the stroke of 1924 should be repeated. I ask gentlemen who believe in non-co-operation, what are the fruits of that

tree? You are now at a point when the question that has come up for examination is parliamentary government. Now, whether or not parliamentary government in the full sense is possible in this country, I do not know; I do not think that any one knows. But I have a strong sense that to-day's vote is critical; and when all is done and when all is over it will be no use saying "It was their fault; they goaded us." History will not pay attention to that. They will say "Were those who threw out the Finance Bill capable of Parliamentary government?" Therefore, Sir, I would in all earnestness and sincerity appeal to my friend the Pandit, who had a definite view in the other direction last year, and the year before, and the year before that. I would ask him not to do this thing.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): Sir, I have often spoken on this motion and I had no intention at all to intervene in the debate to-day. But the words which we have just heard from Mr. Moore have compelled me to rise and answer him on the spot. It was very painful to me to listen to the long and learned speech of my friend, Pandit Madan Mohan Malaviya. He was addressing the Benches opposite as if they were amenable to reason; he was trying to convince them, to put arguments before them and what was more painful to me was that neither they took him seriously when he put forward those arguments, nor did any one on this side believe seriously that his arguments would go any way with them. Now he might as well have addressed his long arguments to stone figures. But he persisted and I admire his faith. My position and the position of my Party has been made clear so often that I should not have felt it necessary to do so again. But the great prophet of the future, my friend the Honourable Mr. Arthur Moore, has foreseen from his place to-day what the future generations will say about our throwing out the Finance Bill, and that tempts me, Sir, to make a similar attempt. He has gone over the history of this institution from the days of the first Assembly up to this hour. He has shown how satisfied he was by the exploits of the first Assembly, how they had enhanced the reputation of India and of themselves for statesmanship but for one mistake that they made, and that was in the matter of reducing the salt tax. Then the ban was lifted by the Congress, and the Swarajists came into the Assembly and the reputation of India went down at once. (Laughter from the Swarajist Benches). And why did it go down? Because they made a number of cuts; they threw out the Finance Bill. But thereafter things began to improve slowly and after some time Members on this side of the House took part in the Standing Committees and the Select Committees and put in some public work which, in other words, was Government work. Well, thereupon again the barometer of reputation rose a little. Now, we are trying to-day to do the same old thing in the same old way, that is to say, to throw out the Finance Bill. Well, I do not know if we shall succeed in throwing it out. As I understood my friend, who has started the opposition, he made a number of appeals and expressed a number of hopes which show that he does not really mean to throw out the Bill by the vote of the House but only to mark his own disapproval. However that may be, if there is any Party in the House which seriously entertains the idea of throwing out the Finance Bill, the whole of the Congress Party will join and with their solid vote help to throw it out. We have no compunction on that score, and we are not afraid of losing our reputation. Whatever conception of our reputation my friend Mr. Arthur Moore may have, I think, Sir, that we have enhanced the reputation not only of our

[Pandit Motilal Nehru.]

Party but the whole of our country in all the countries of the world including England. (Hear, hear from the Members of the Congress Party.) Whatever may be said inside this House, I have heard things with my own ears, I have heard Parliamentarians in England, I have heard public men in other countries, and there was not one man who blamed us for our action. (Hear, hear.) Indeed, what they said was, that the only effective step by which we could follow up our action was revolution. Well, if we did not resort to that step we deserve to be thanked and not blamed by the Government. But why did we not do it? Simply because we knew our limitations and we could not do it. The whole point of throwing out the Budget and the Finance Bill is not that we are actually refusing supplies to you. We know it is not in our power effectively to refuse supplies to you. You can take them for yourself without us. But the point of it is this, that we, as a self-respecting people, will be no parties to granting these supplies to you. You can take them by force and the only word in the English language which applies to such taking is the word "robbery". The money which is votable is at the disposal of this House. The House either grants it or not. If the House does not grant it and it is taken in spite of the House, I say it is taken by force, and the only word for that process is "robbery". (*Members on the Congress Benches: "Hear, hear".*)

Sir Darcy Lindsay (Bengal: European): Is it robbery to charge for your postage?

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Taxation without representation is robbery.

Pandit Motilal Nehru: I say that if grants are disallowed by this House and if any authority then allows them, it trespasses on the rights of this House. It takes property which is at the disposal of the House without the consent of the House, and that, any one can inform you, is the very definition of "robbery" in law. But is it any use making appeals to the Government Benches to introduce reforms, to do this and to do that? At one time I was also inclined to think that there was some substance in the assurances which were made from time to time from the highest to the lowest rung of the official ladder, that it really was the intention of the British Government to set India free one day, to give her full responsible government. But when I now, with the experience I have had of this Assembly and of the march of events especially during the War and after the War, review the situation, I find that it is puerile for anybody to think that the British Government seriously intends at any time, either in the remote or in the near future, really to give responsible government to India. What is the position? What is the world position? England owes her supremacy in the world solely to her possession of India—to the Indian Empire. That supremacy in the world we cannot expect England to give away in a fit of generosity simply in her anxiety to put us on our own legs. It has been said that a strong India, an independent India, on her own legs will be a greater asset to the British Empire than India as she is to-day. (*The Honourable Sir Basil Blackett: "Hear, hear"*) Although my Honourable friend the Leader of the House, says "Hear, hear", I am sure that no Englishman is so simple as to think that a free India standing on her own legs will never have any regard to her own interests and will always side with the British Empire. A free India in all cases

of emergency must naturally have regard to her own interests, and if her interests require that she should continue the British connection, she certainly will continue it. What is the case of your Colonies? Do you mean for one moment to contend that if the interests of the Colonies require that they should break away from the British Empire, they will hesitate one single moment to do so? It is futile for anybody to say that a strong India will be a great asset to England under all circumstances. It would be so only under certain circumstances. But you are doing everything to make that impossible. If India has got to get whatever it can get in spite of you, you cannot expect India always to stand by you after she has got what is her due. Here is a cutting that I have preserved from one of the newspapers which gives Lord Birkenhead's view on the question of the importance of India to England, but mind you, it is the importance of an India which is at England's beck and call, and not the importance of a free India standing on her own legs. He says as to "what would happen if the English abandoned the 'great heritage' of the past":

"India is an incalculable asset to the mother country. The commercial prosperity of Great Britain is bound up with that of India. The severance of the tie that binds India to the Empire would be a crushing and irreparable disaster to England. In the fabric of our great Empire India is a vital part. Unless we are content to sink into political and commercial insignificance, the surrender of India would be an act not only of fully but of degenerate poltroonery. To make such a surrender would be to remove the keystone of the arch. The loss of India would be the first step in the disintegration of the Empire, for strategically our Eastern Empire pivots on India, and surrender or withdrawal would involve other of our possessions in ruin or in isolation."

That is what Lord Birkenhead said some time ago. If that is the real situation, and if it is true that that is the importance of India to the British Empire, I ask reasonable men, would England take any steps which would imperil that position, which would make it possible for India to assert herself in a manner which may mean the isolation and ruin to which Lord Birkenhead refers? So, I say that I do not believe, I say it is not reasonable to believe that England of her own accord would put herself in a position which may at one time reduce her to the condition so graphically described by Lord Birkenhead. What is the upshot of all that? The upshot is that England is never going to make India free in the sense in which the colonies are, because Dominion status involves the right of separation. No Englishman is so simple as to think that England will confer that right upon India at any time. That being so, what can you expect to happen? If this diadem on the crown of England is to be preserved, the dependence of India on England has to be continued as long as possible. Is it any use making plaintive appeals to the bureaucracy to give this and to give that, when it is not in the interests of the bureaucracy to give you what you really want? Of course, there will be concessions made, small crumbs thrown from the table, and some people will pick them up. But I can assure the House that it is very much mistaken if it thinks that the conditions which existed at the time of which my Honourable friend, Mr. Arthur Moore, spoke, *i.e.*, of the first Assembly and prior to that—if it thinks that those conditions are still existing. As you are aware, the Indian National Congress has already declared for independence. I am not ashamed

ed to say, and I am not afraid to say that I stand by the National
4 P.M. Congress. My Honourable friend Colonel Crawford yesterday told us what he had dreamt or imagined about an Indian army being led by Field Marshall S. Srinivasa Iyengar with my friend Mr. Goswami playing some subordinate part. He said "What would they do? They would

[Pandit Motilal Nehru.]

give long discourses on questions of law or something of that kind". Now, what are the implications of that? I would for one moment appeal to Colonel Crawford. Why is it that you are again and again trying to deprecate our abilities in those walks of life in which we have distinguished ourselves? You know that the moment there is an opening in other walks of life, the moment there is free competition between Englishmen and Indians, you will be nowhere. Look at the professions. And in this connection may I point to one of the departments of life in India where you have allowed the same opportunities to an Indian as an Englishman possesses—the Bar. Could you tell me where an Indian has failed to hold his own against an Englishman? Take other professions, take the higher Judicial posts, the High Court Judgeships. Is there any Indian who is inferior in those posts to his fellow officers in the same department? I say that it is not generous, to say the least of it, to taunt us by saying "Oh, you have no arms, no training. You can only discourse on law, logic and philosophy. Those things cannot carry you against an enemy". Give us the chance in the very department of which you are so proud—I mean the Army. You know what the Indian rank and file can do. You have yourself spoken in very high terms of them. Well, let us brush shoulders with you as officers on terms of equality and then it will be time to tell us whether we can speak of law only or we can do other things as well which will surprise you. Now, the fashion is to deprecate all that we do, attribute motives to us and to say that we are dreamers, that we do not mean business. Well, one newspaper in England, the *New Statesman*, has gone to the length of accusing us of being office seekers, accusing members of the Congress Party of being office seekers. This *New Statesman* is the great champion of the Imperialist Labour Party. That paper in a fit of rancour says, while abusing me, that "if the English withdraw the Nehrus will disappear in impotent obscurity". By Nehrus in the plural it probably means myself and the members of my Party. Well, Sir, all I can say is this, that it is a lie and a calumny upon the Congress Party to say that any one of them is an office seeker, but as to myself and the other members of my Party sinking into obscurity, well, that is a matter, that is a thing, which we shall never regret. In fact that is a fate which we covet. Our ambition, our highest ambition, Sir, is—and let me say it in all humility—our highest ambition is to be buried in the foundations of a free India (Loud Applause), and then sink into obscurity to be thought of no more. Who can thwart that ambition, I ask? Can all the mechanised forces of the Empire thwart it? No, Sir, the ambition to work for the independence of one's country and to die for it cannot be thwarted by any human agency. We shall work on the foundations; I know we have not gone beyond the foundations; we shall continue to work on those foundations until we drop down dead (Loud Applause) and be buried in them. But I can assure you that we shall drop down dead in the supreme satisfaction that the noble edifice of the freedom of India shall in the fulness of time rise on our bones. (Loud Applause.)

The Honourable Sir Basil Blackett rose.

Mr. Jamnadas Mehta rose.

Mr. C. S. Ranga Iyer rose.

Mr. President: How long is the Honourable Member (Mr. Ranga Iyer) going to take?

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): A reasonable time, Sir.

Mr. President: I desire to adjourn at half-past four. Will the Honourable Member be able to finish by then?

Mr. C. S. Ranga Iyer: Sir, the Honourable the Leader of my Party has placed before this House the spirit and purpose of our opposition. The Honourable the Leader of the Nationalist Party, if not the recognized Leader yet the unrecognized but equally influential leader, I mean Pandit Madan Mohan Malaviya, in concluding his speech relied on the magnanimity of Britain and appealed to the generosity of the British peoples. Therefore, Sir, I welcome the statement from the Leader of my Party. I welcome it for various reasons. If I had faith, if we had faith, in the generosity of English politics, we would not have stood here to-day to oppose the Finance Bill. If we had faith in the gratitude of Western politics, we would not have taken our stand on the historic principle of "no taxation without representation." Sir, the Honourable Member from Bengal said that history will say that we were not fit for parliamentary government. When Mr. Arthur Moore said that, I suppose he meant that history would say we were not fit for mock parliamentary government. (Laughter). I know this Assembly is described in official publications by a Department, the gentleman in charge of which happens to be absent from this House to-day, as "India's Parliament." But is this India's Parliament? Is that public preparatory school in Dehra Dun India's Military College? (Laughter). Sir, we deal with realities; we do not hug corpses, and therefore we say "No taxation without representation." We are saying it not only to you but to those who are hearing us from the galleries, not only to those who are hearing us from the galleries but to the vast millions who are overhearing the speeches that are delivered here to-day, not only to the vast millions who are overhearing the speeches that are delivered here to-day, but to posterity, to generations yet unborn. We want parliamentary government; therefore we are out to wreck the fabric, to dig out the foundations of mock parliamentary government. Sir, a gentleman, a Colonial statesman of high reputation, whom I can name, asked me, "Is it not true that you in India are accused of speaking too much?" And he answered the question himself "What else could you do? You do not speak so much as the gentlemen of the House of Commons." They talk for 9 or 10 months in the year; we talk for 3 or 4 months in the year, less than that. But he said "what can you do? It is an exasperating position." That was his word, "exasperating." "They give you the power to talk; they do not give you the power to carry on the government." We want that power to-day; and we are not going to get it, we are aware, by rose water eloquence; we are not going to get it by orations and speeches. We are going to get it by carrying to the hearts of the people the principle embodied in our opposition to this Bill, namely, that taxation without representation is robbery; taxation through certification is dacoity. (Laughter from Members on the non-official European Benches). Sir, I know you laugh at it, but I do not grudge the pleasure of laughter to you. It is your privilege to laugh and I am glad that the laughter has emanated from the Benches of the non-official European group. Sir, more terrible, I should think, in certain respects than even the official group is the non-official European group.

[Mr. C. S. Ranga Iyer.]

Of the Indian and European non-officials, a distinguished member of the Indian Civil Service said, by way of contrast as it were:

"The really best men among the natives of India, who influence opinion and lead society not less by their intellectual accomplishments than in virtue of the moral qualities of honesty and independence, are naturally of a more retiring disposition and somewhat proud."

But what about the Anglo-Indian people? He said they are "irresponsive"; they are responsible for making the system—

"irresponsive; it remains the same, a monopoly of the ruling race, and so far from there being any real advance in the direction of popular concessions, a distinct reactionary impulse animates the counsels of Government."

And he went on to describe them as people who are in an irresponsible position. They have all the power behind them; the power of the bureaucracy and at the same time they have all the pleasure of irresponsibility.

Sir Walter Willson: Is that all he said?

Mr. C. S. Ranga Iyer: He has said much more; I do not want to take up the time of this House over that quotation. But I shall make a present to Sir Walter Willson of some of the most beautiful things that he has said. I did not want to read, because I thought Sir Walter Willson, at any rate, had been a very close student of the speeches and writings of Anglo-Indian and retired I. C. S. officers; I am sure, he has read Sir Henry Cotton's speeches; he knows what he has said about them. But what is our position? Our position is one of absolute insecurity. My friend from Bengal, Mr. Satyendra Mitra of Regulation III fame, will tell this House what this rejection of the Finance Bill means, if only he cares to tell. Sir, our position is one of absolute insecurity in this country. Replying the other day to a question that was put in the Council of State, an Honourable Member of the Government made an important announcement regarding the prisoners under Regulation III. He said:

"The number of prisoners under detention at the end of February was as follows:

In Jail under Regulation III	...	...	...	4
In Jail under the Bengal Criminal Law Amendment Act	...	...	...	12
Village domicile	...	...	...	25
Home domicile	...	...	...	9"

I would ask the Honourable Member who laughs to imagine the plight of these unfortunate people who are rotting in the jails or in the marshes of Bengal and in the malaria-stricken places of Bengal and who have been rotting there without trial and for such a long time. Sir Walter Willson smiles away. It is his joy to smile away, but if his country were under foreign rule and if there was Regulation III of 1818 and if he were one of its victims, he would not laugh. (Laughter from the Swarajist Benches). Sir, these people were taken away 5 years ago and without trial they have been rotting there since September 1923. Some of them have been released. If they had been convicted, if the Government had in their possession some evidence and if these men had been actually convicted, they would not have remained in jail so long. The fact is that the Government had no document in their possession; the fact is that they want to terrorise people; the fact is that they want to strike bewilderment in the hearts of young men; they want to keep them away from the seduction of politics. And what is the punishment that has been meted out

to these poor Regulation prisoners of Bengal? One of those prisoners who had been in "village domicile" happened to be an umpire, a referee, in a football match and he was given three months' rigorous imprisonment. I believe my Honourable friend from Bengal Mr. Amar Nath Dutt, who appeared in that case, would be able to enlighten this House much more on the point. Fancy, a young man, who was just living as an interneer in a domicile, whose liberties were not curtailed within that village, who was asked only not to speak to students, and who acted as a referee in a football match was given three months' rigorous imprisonment. That is to say, below that gulf of internment is a deeper gulf of imprisonment. Sir, it is a terrible position and I want the Honourable Members over there to consider the position of this typical patriot who from their point of view is a revolutionary, but from my point of view a non-revolutionary, constitutional and Swarajist patriot. Mr. Bhattacharjee, that is his name, was punished for acting as a referee in a football match to which I have already referred.

Then, there is the case of Mr. Jivan Chatterjee, who is restrained in Almora. He is dying of consumption; he is given a very meagre allowance and does not get the same food that he used to eat in Bengal. He cannot have interviews with his relations because they cannot travel every time to such a distant place as Almora is from Bengal. Sir, I do not want to go deep into this subject but I would ask the Government to consider whether they are entitled to our vote on the Finance Bill when, after our agitation for such a long time, they have not released our prisoners. On the other hand, they are hugging Regulation III of 1818 to their bosom.

Mr. B. Das: What about Nabha?

Mr. C. S. Ranga Iyer: My friend Mr. B. Das asks me: What about the Maharaja of Nabha? The Maharaja of Nabha is a great personal friend of mine, and his case happens to be a pathetic one in the sense that it proclaims that a Prince has no liberty even as a plebian in this country. Look at the manner of his arrest

Sir Walter Willson: On a point of order, Sir, has this any connection with the Finance Bill?

Mr. C. S. Ranga Iyer: Regulation III of 1818 is the work of an administration, for which we are unwilling to give money. Here is a Ruling Prince

Sir Denys Bray: I rise to a point of order. The Honourable Member appears to be referring to the affairs of a Ruling Prince.

Mr. C. S. Ranga Iyer: Not the affairs; but I am amazed that there could be a Ruling Prince under Regulation III of 1818. The Honourable Member ought to know

Mr. President: Was Regulation III of 1818 resorted to in this case?

Sir Denys Bray: Yes, Sir.

Mr. President: Mr. Ranga Iyer.

Mr. C. S. Ranga Iyer: And we have here the case of a Ruling Prince who was forced to abdicate and who was further thrown into internment for offences of which the public are not aware. We have been naively told that he has been kept as a prisoner in Kodaikanal because he was disloyal to Government. But how may I ask

Mr. President: The Honourable Member would be well advised to pass on to other arguments.

Mr. C. S. Ranga Iyer: Yes, Sir. When the Honourable the Foreign Secretary rises up and says, it is a State subject, I have only to say this that in regard to questions of Indian States and questions of British India I think Government are not entitled to our support and sympathy. I know that the administration in the Indian States would have been far better if the Government had not put obstacles in the way of the introduction of responsible government in the Indian States. I do not think there can be Swaraj in India so long as the Government intend using, as Lord Sydenham indiscreetly disclosed in the *Nineteenth Century*, the Indian States as political buffers. I understand their policy. Their policy is to make the Indian States so many Ulsters

Sir Denys Bray: I rise to a point of order.

Mr. President: The Honourable Member is talking generally and not referring to any particular State.

Mr. C. S. Ranga Iyer: Their policy is to make so many Ulsters of the Indian States, so that when the day comes when India is liberated from foreign bondage, there would be an "Indian Free State" with so many Ulsters in between. That is the policy of the British Government here.

And then, Sir, take the communal question. I do not refer to it in the spirit of a previous speaker (Mr. Abdul Matin Chaudhury). I refer to it from the standpoint—the only standpoint that appeals to me—of a man who belongs to no community because he belongs to the country. Sir, how could this communal agitation, how could this communal chaos, have come into existence in this country? How could it have assumed such tremendous proportions? We all know when political questions arise, when political campaigning proceeds, how political agitators and political campaigns are met. When the lives of a couple of Englishmen were jeopardised in the Punjab, when an English woman, most unfortunately, most inexcusably was chased through the narrow streets of Amritsar, how the powers—that be used all their power to terrorise the people of India. Not all the *hartals*, not all the Satyagraha movements have caused so much loss of lives as the communal riots of Bengal and other places. Sir, in Calcutta during the communal riots more people suffered than did Europeans in the Punjab. The Punjab had martial law. The Punjab witnessed the Jallianwalla Bagh massacre. The Punjabees were ordered to crawl in a narrow lane in Amritsar because they wanted to teach Indians a lesson. When communal agitation results in loss of lives on such a scale, on a scale so much vaster than political agitation, how do they meet the former? I charge them with egging on communalism because they do not put down communalism with the frenzy with which they put down political agitation, even political agitation of a non-violent kind. Imagine the Governor of Bengal, like Nero, fiddling in Darjeeling when Bengal and Calcutta were burning. My friend over there laughs: but even the *Morning Post*, which is the conscience-keeper of the British Empire, condemned the Governor of Bengal for that policy of instigating communal agitation. Why do they not meet communal agitation in the same way as they meet political agitation? I do not approve of that method, I do not approve of that manner, but they approve of it; I ask them to treat the communalists in

the same way as political agitators. If the politician who preaches race hatred against the British should be put down, should be regulated, interned, imprisoned, give the same treatment also to the communalist who too preaches race hatred. That is my position. If the politician who preaches Swaraj has to be proceeded against for sedition and kept in jail—and you put 20,000 people in India in jail—treat the communalists also in the same way. You give the latter a long rope. You drink whisky in your clubs and laugh over the situation and say “Look at these fools going for each other”. You enjoy the situation, and that is the biggest indictment of foreign rule in India. If we had Swaraj I believe under repression communalism would have hidden its diminished head, because we would have dealt with communalism of a blackguardly kind in the same manner as you deal with political agitation of a virtuous kind, for communalism is calculated to retard the progress of India. It is the result of ignorant people coming forward and preaching ignorant things. Political agitation on the other hand, as many of your speakers and writers have proclaimed, is the result of a hunger for freedom. I could give quotations from the best of English writers, from the best of English friends of India to prove that political agitation, the hunger for freedom, is a legitimate thing. But this legitimate thing is put down by a foreign government in a most illegitimate manner, while the illegitimate communal agitation is supported by their negligence, by their indifference, sometimes by their insidious applause—for, Sir, the United Provinces Government in their administration report, when the head of that administration was that notorious reactionary, Sir William Marris, said without any shame that “the change from the political to the communal was an improvement.” I am quoting the words of the Government of Sir William Marris, who said in an unguarded moment that the change from the political to the communal was “an improvement.” What happened in Lucknow? There was a riot and people were killed; and then what happened? Prosecutions were withdrawn. It was my duty, Sir, to carry on a campaign against this insidious support that the Government had given to communalism. Some years after the Secretary to the Government publishes a communiqué explaining how and why the prosecutions were withdrawn. Supposing Englishmen had been the sufferers in a political riot, would you have conceived of withdrawing prosecutions? Humbug us no more. My leader has realized the truth after himself having been a moderate of moderates. Sir, the best years of his life were spent in association with the Government, in admiration for the English ways and the English people. He was disillusioned only by your action; he was disheartened only by your attitude; and if there has not been a revolution in India it is because India has been for long centuries under alien rule; it has been a trampled worm; but even “a worm turns”. Sir, the message of this motion is not to the gentlemen on the other side but to our people; and what does this message say? The message of this rejection of the Finance Bill will proclaim to the people of my country in a voice of thunder which must be heard:

“Never give up, though the grape shot may rattle,
Or the full thunder cloud over you burst,
Stand like a rock and the storm or the battle,
Little shall harm you though doing the worst.”

The Assembly then adjourned till Eleven of the Clock on Monday, the 19th March, 1928.

LEGISLATIVE ASSEMBLY.

Monday, 19th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

COMPOSITION, ACCORDING TO COMMUNITIES, OF THE CLERICAL STAFF OF THE GOVERNMENT OF INDIA PRESS, SIMLA.

447. ***Mr. Mukhtar Singh:** Will the Government be pleased to place on the table a statement showing the composition of the clerical staff in the Government of India Press, Simla, according to communities?

RECRUITMENT OF CLERKS TO THE GOVERNMENT OF INDIA PRESS, SIMLA.

448. ***Mr. Mukhtar Singh:** (a) How many clerks were recruited to fill up permanent and officiating appointments in the Simla Press during the last five years? How many of them were Muslims and how many Hindus, Christians and Sikhs?

(b) What was the percentage of Muslim clerks in the aforesaid Press five years back?

PERCENTAGE OF MUSLIMS IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

449. ***Mr. Mukhtar Singh:** Is it a fact that in the Simla Press the posts of Assistant Manager, Head Clerk and 85 per cent. of the posts in the clerical establishment are held by Muslims?

METHOD OF RECRUITMENT EMPLOYED IN FILLING CLERICAL POSTS IN THE GOVERNMENT OF INDIA PRESS, SIMLA.

450. ***Mr. Mukhtar Singh:** Will the Government be pleased to state:

(a) The method of recruitment employed in filling clerical posts in the Simla Press?

(b) Whether any competitive examination is held? If not, why not? If it is held when was it held last time?

(c) Whether the Government orders contained in Home Department office memorandum No. F-176/25-Ests., dated the 5th February, 1926, in connection with the prevention of preponderance of one class or community in the clerical establishment are observed?

UPERSESSION OF SENIOR CLERKS IN THE GOVERNMENT OF INDIA PRESS, SIMLA,
BY MR. ABDUL GHAFFAR KHAN.

451. ***Mr. Mukhtar Singh:** (a) Is it a fact that one Mr. Abdul Ghaffar, clerk in the Simla Press drawing Rs. 89 in the 50—3—125 scale, was promoted to 120—8—200 grade in supersession of 13 other clerks who were senior in service and pay than the said gentleman? If so, is it a fact that great discontent prevails in the Simla Press on this account?

(b) Will the Government be pleased to state the reason as to why this supersession was allowed?

The Honourable Sir Bhupendra Nath Mitra: Sir, with your permission. I propose to answer questions Nos. 447 to 451 together.

The information is being obtained and will be communicated to the Honourable Member in due course.

APPOINTMENT OF TWO MUSLIMS AS ASSISTANT MANAGERS IN THE GOVERNMENT
OF INDIA PRESSES AT SIMLA AND ALIGARH.

452. ***Mr. Mukhtar Singh:** (a) Is it a fact that two Muslim gentlemen have been temporarily appointed to the posts of Assistant Managers in the Government of India Presses at Simla and Aligarh? If so, will the Government be pleased to state whether the posts were advertised?

(b) Was any selection made out of the applications received for these posts?

(c) Did any competitive examination take place in this connection?

(d) What are the educational qualifications of the gentlemen appointed?

(e) Is it proposed to confirm the gentlemen in their appointments or will they be replaced by qualified probationers under training in England?

The Honourable Sir Bhupendra Nath Mitra: (a) The reply to the first part is in the affirmative and to the second part in the negative. These were cases of temporary departmental promotion.

(b) Does not arise.

(c) No.

(d) They have no special educational qualifications but have had long experience of the work in the Press.

(e) The question of their confirmation or of filling these posts otherwise can only be considered when the appointments become vacant permanently.

ABSENCE OF A FIRST AND SECOND CLASS WAITING ROOM FOR LADY PAS-
SENGERS AT HARDWAR.

453. ***Mr. G. Sarvotham Rao:** (a) Has the attention of the Government been drawn to the absence of a first and second Class waiting room for lady passengers at Hardwar railway station?

(b) Is there a separate waiting room for first and second class European passengers at Hardwar railway station?

(c) Do Europeans travel in such numbers and so frequently to Hardwar as to necessitate special and separate waiting accommodation for them?

Mr. A. A. L. Parsons: (a) There is a waiting room for first and second class lady passengers at Hardwar.

(b) Yes.

(c) No separate figures are maintained by Government showing the number of Europeans travelling.

TOTAL NUMBER OF OFFICERS, CLERKS, ETC., IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

454. ***Mr. Anwar-ul-Azim:** Will the Government please state:

(a) the total number of officers, clerks, sub-heads junior and senior accountants, both temporary and permanent, in the Railway Clearing Accounts Office and how many of them are Muslims, and

(b) the total yearly expenditure on the salaries of the staff of the Railway Clearing Accounts Office and how much of it goes to the Hindus and how much to the Muslims?

NUMBER OF HINDUS AND MUSLIMS APPOINTED AS CLERKS SINCE THE CREATION OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

455. ***Mr. Anwar-ul-Azim:** (a) Will the Government please state the number of Hindus and Muslims separately who have been newly appointed as clerks since the creation of the Railway Clearing Accounts Office?

(b) How many clerks have been promoted to sub-headship in the Railway Clearing Accounts Office since its creation and how many of them are Muslims?

TOTAL NUMBER OF UNQUALIFIED ACCOUNTANTS EMPLOYED IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

456. ***Mr. Anwar-ul-Azim:** (a) Will the Government please state the total number of unqualified accountants who have been employed in the Railway Clearing Accounts Office and how many of them are Muslims?

(b) Will the Government please state how many clerks of the lower class taken from the North Western Railway Audit Office, were promoted to class I and II, and how many of them were Muslims?

QUALIFICATIONS FOR CLERICAL APPOINTMENTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

457. ***Mr. Anwar-ul-Azim:** (a) What are the minimum educational qualifications fixed for employment as a clerk in the Railway Clearing Accounts Office?

(b) How many Matriculates other than those of the first division were employed in the Railway Clearing Accounts Office and how many of them Muslims?

(c) What are the regulations for promotion of clerks from a lower class to a higher one in the Railway Clearing Accounts Office?

(d) Were the new vacancies in the Railway Clearing Accounts Office at the time of its creation, advertised for? If not, are the vacancies being advertised and applications called for now, as is the case in many other Railway Offices? If not, why not?

REGISTRATION OF APPLICATIONS FROM CANDIDATES FOR EMPLOYMENT IN THE RAILWAY CLEARING ACCOUNTS OFFICE, ETC.

458 ***Mr. Anwar-ul-Azim:** (a) Will Government please state if applications from candidates are registered in the Railway Clearing Accounts Office? If so, how many Muslims applied for employment since the creation of this office and how many were actually employed?

(b) How many chaprasis and dufftries were employed in the Railway Clearing Accounts Office, and how many of them were Muslims?

GRANT OF ACCELERATED PROMOTION TO EMPLOYEES OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

459. ***Mr. Anwar-ul-Azim:** (a) Will the Government please state how many men were given accelerated promotion in July 1927 in the Railway Clearing Accounts Office and thus superseded their seniors?

(b) How many of them were Muslims?

(c) What were the reasons for these supersessions?

EXPENDITURE ON THE TRAVELLING ALLOWANCE OF CLERKS SINCE THE TRANSFER OF THE RAILWAY CLEARING ACCOUNTS OFFICE TO DELHI.

460 ***Mr. Anwar-ul-Azim:** Will the Government please state how much money, besides the expense of the Inspection Section, has been spent on the travelling allowance of clerks since the transfer of the Railway Clearing Accounts Office to Delhi?

AMOUNT LYING OUTSTANDING IN THE RAILWAY CLEARING ACCOUNTS OFFICE ON ACCOUNT OF FOREIGN OUTWARD GOODS MISSING RETURNS.

461. ***Mr. Anwar-ul-Azim:** Will the Government please state how much amount is lying outstanding on account of the Foreign Outward Goods missing returns from July, 1927 to October, 1927, in the Railway Clearing Accounts Office?

EMPLOYMENT OF OFFICE BOYS IN THE CHIEF AUDITOR'S OFFICE AS CLERKS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

462. ***Mr. Anwar-ul-Azim:** Is it a fact that some non-matriculates who were working as office boys in the Chief Auditor's Office were taken as clerks in the Railway Clearing Accounts Office? If so, will the Government please state the number of Hindus and Muslims among them?

TENDERS FOR FURNITURE AND STATIONERY FOR THE RAILWAY CLEARING ACCOUNTS OFFICE.

463 ***Mr. Anwar-ul-Azim:** Will the Government please state whether tenders for furniture and stationery for the Railway Clearing Accounts Office were called for? If so, in which newspaper was the advertisement published?

TOTAL NUMBER OF TEMPORARY AND PERMANENT CLERKS OF THE NORTH WESTERN RAILWAY AUDIT OFFICE RECRUITED TO THE RAILWAY CLEARING ACCOUNTS OFFICE.

464. ***Mr. Anwar-ul-Azim:** 1. (a) Will the Government please state the total number of temporary and permanent clerks respectively who were taken from the North Western Railway Audit Office into the Railway Clearing Accounts Office before the 1st January 1927?

(b) What salaries were they drawing there and what at present?

(c) How many of them are Muslims?

2. (a) Will the Government please state the total number of clerks taken from the North Western Railway Audit Office into the Railway Clearing Accounts Office in January 1927?

(b) How many of them are Muslims?

(c) How many of them are clerks of class I?

(d) Was any memorial for allowance submitted by them to their officers? If so, what action was taken on that?

TOTAL NUMBER OF MEN UNDER TRAINING AND IN RESERVE IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

465. ***Mr. Anwar-ul-Azim:** Will the Government please state:

(a) The total number of men under training and in reserve in the Railway Clearing Accounts Office?

(b) How many of them are Muslims and how many Hindus?

NUMBER OF HINDUS AND MUSLIMS RECRUITED FOR THE EXPERIMENT OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY FOREIGN GOOD TRAFFIC IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

466. ***Mr. Anwar-ul-Azim:** Will the Government please state:

(a) The number of Hindus and Muslims respectively recruited for the experiment of the Bombay, Baroda and Central India Railway Foreign Goods Traffic in the Railway Clearing Accounts Office, and

(b) Whether those men were absorbed in the Railway Clearing Accounts Office or settled up after the expiry of the date of the experimental period?

RECRUITMENT OF ESTABLISHMENT BY THE OFFICER-IN-CHARGE, ADMINISTRATION SECTION AT LAHORE.

467. ***Mr. Anwar-ul-Azim:** Is it a fact that a Board bearing "No Vacancy" was kept hanging before the door of the Officer-in-charge, Administration Section at Lahore? If so, what measures were adopted for recruitment?

COMMUNICATION TO THE RAILWAY CLEARING ACCOUNTS OFFICE OF THE INSTRUCTIONS RELATING TO THE PREPONDERANCE OF ANY COMMUNITY IN ANY BRANCH OF THE ADMINISTRATION.

468. ***Mr. Anwar-ul-Azim:** Were the instructions laying down the Government's policy of not allowing any community to preponderate in any branch of the administration communicated to the Railway Clearing Accounts Office? If so, when was it communicated? If not, why not?

Mr. A. A. L. Parsons: I propose, Sir, with your permission to reply to questions Nos. 454 to 468 and No. 478 together. I am having information, to enable me to reply to these questions, collected and hope to be able to communicate it to the Honourable Member in the course of this week.

REGISTRATION OF APPLICATIONS FROM MUSLIM CANDIDATES FOR EMPLOYMENT IN THE DELHI POST OFFICE.

469. ***Mr. Anwar-ul-Azim:** Will Government be pleased to furnish the following information with regard to Delhi Post Office:

- (a) How many posts, both permanent and temporary, have been filled up during the term of office of the present Postmaster and how many of them were given to Muslims?
- (b) How many Inspectors are attached to the Delhi Post and how many of them are Muslims?
- (c) Have these Inspectors passed the prescribed test for qualifying themselves for appointment as Inspectors?
- (d) How is the recruitment of clerks made in this Department?
- (e) Is there a register kept for the enlistment of candidates who apply from time to time for employment?
- (f) If the answer to (e) is in the affirmative, what is now the number of Muslim and non-Muslim candidates separately?
- (g) Is it a fact that Mahbub Husain and Mohamed Ishaq applied to the Postmaster in December, 1927, for employment?
- (h) Is it also a fact that when these two candidates asked permission from the Postmaster to appear at the qualifying test in January, 1928, they were told that their applications had never been received?
- (i) What steps do Government propose to take to ensure that applications from Muslim candidates are duly registered in the Delhi Post Office and are given due consideration when vacancies are to be filled up?
- (j) Are the vacancies in the Delhi Post Office advertised for? If not, why not?

Mr. H. A. Sams: (a) 14 permanent and 55 temporary posts of clerks have been filled up during the term of office of the present Postmaster, Delhi. Of these 7 permanent and 18 temporary posts were given to Muslims.

(b) There are 3 Inspectors attached to the Delhi Post Office. None of them are Muslims. These posts are filled by promotion, not by direct recruitment.

- (c) No. The newly prescribed examination has not yet been held.
- (d) Recruitment of clerks in the Postal Department is made according to rule 469 of the Post Office Manual, Volume II, a copy of which will be supplied to the Honourable Member.
- (e) In the Delhi Post Office all applications received are kept on record in serial order until a test examination for selection has been held.
- (f) At present there are 8 applications from Muslims and 36 from non-Muslims pending in the Delhi Post Office.
- (g) The Postmaster reports that no applications from the two persons mentioned have been received.
- (h) The Postmaster reports that he does not remember the incident mentioned.
- (i) Government do not propose to take any steps as they have no reason to believe that the claims of Muslim candidates have not been given due consideration in view of the fact that 50 per cent. of the permanent posts and 33 per cent. of the temporary posts have been given to Muslims during the term of office of the present Postmaster, Delhi.
- (j) No; as there is a sufficient number of suitable candidates available without advertising.

INADEQUATE REPRESENTATION OF MUSLIMS IN THE RAILWAY MAIL SERVICE
D. DIVISION, DELHI.

470. ***Mr. Anwar-ul-Azim:** (a) Is it a fact that probationer Inspectors are being appointed in the R. M. S. D. Division, Delhi?
- (b) If so, how many such probationers have been recruited since the introduction of this system and how many of them are Muslims?
- (c) How many clerks, sorters and menials have been recruited in this Division during 1927 and how many of them are Muslims?
- (d) Are the Government aware that the representation of Muslims in this Division is very inadequate?
- (e) If so, what steps do Government propose to take to increase the proportion of Muslims in this Division?
- (f) Are the vacancies in this Division advertised for? If not, why not?

Mr. H. A. Sams: (a) No.

(b) Does not arise.

(c) A statement showing the recruitment made from April, 1927. up to date is given below:

	Muslims.	Non-Muslims.
Sorters	15	12
Clerks	11	10
Menials	7	10

(d) The representation of Muslims is not "very inadequate" as stated by the Honourable Member, there being 103 Muslims as against 269 non-Muslims.

(e) A copy of the order on the subject of recruitment to the clerical cadre was supplied to the Honourable Member on the 24th February, 1928, in reply to his question No. 292.

(f) No, a sufficient number of suitable candidates of all communities is available without a resort to advertisement.

REPRESENTATION OF MUSLIMS IN THE OFFICE OF THE ACCOUNTANT GENERAL, RAILWAYS.

471. ***Mr. Anwar-ul-Azim:** Will Government be pleased to furnish the following information about the office of the Accountant General, Railways:

- (a) When was the last additional permanent establishment sanctioned?
- (b) How many posts (i) temporary, (ii) permanent created, (iii) deputation, and (iv) regular leave vacancies occurred during the period from 1st January, 1927 to 31st January, 1928? What was the duration of such temporary, deputation and leave vacancies?
- (c) How many vacancies referred to in clause (b) above were filled in by Muslims and for what duration were such vacancies held by them?
- (d) What are the qualifications of the persons who have been appointed against vacancies referred to in clause (b)?
- (e) Were vacancies in clause (b) advertised for? If so, was such advertisement published in any Muslim newspaper? If not, why not?
- (f) How many Muslims (i) graduates, (ii) under-graduates, (iii) Matriculates, (iv) non-Matriculates applied for appointment in this office during the period from 1st December, 1926 to 1st January, 1928?

The Honourable Sir Basil Blackett: The information required by the Honourable Member has been called for and will be furnished to him as soon as it is received.

The same answer applies to questions Nos. 472, 473 and 474

MUSLIM DUFFRIES AND PEONS IN THE OFFICE OF THE ACCOUNTANT GENERAL, RAILWAYS.

472. ***Mr. Anwar-ul-Azim:** (a) What is the essential strength of duffries and peons in the office of Accountant General, Railways and how many of these posts are held by Muslims?

(b) How many new peons have been recruited during the period from 1st December, 1926 to 1st January, 1928, and how many of them are Muslims?

MUSLIM SENIOR AND JUNIOR ACCOUNTANTS IN THE OFFICE OF THE ACCOUNTANT GENERAL, RAILWAYS.

473. ***Mr. Anwar-ul-Azim:** (a) How many posts of senior and junior accountants were created or fell vacant under the Accountant General,

† For answer to this question, see answer to question No. 471.

Railways, during the period from 1st December, 1926 to 1st January, 1928, and how many of them were filled in by Muslims?

(b) What are the qualifications required for senior and junior accountants, respectively?

(c) Have some posts of senior and junior accountants been filled in by the transfer of the services of some officials from other offices? If so, how many of them are Muslims?

(d) How many probationary accountants have been recruited in the Accountant General, Railways Office since the introduction of the competitive examination, and how many of them are Muslims?

RECRUITMENT BY THE ACCOUNTANT GENERAL, RAILWAYS, OF CLERKS FOR TRAINING IN AUDIT OFFICES.

†474. ***Mr. Anwar-ul-Azim:** (a) How many clerks were recruited last year by the Accountant General, Railways, for training in Audit Offices and how many of them were Muslims?

(b) What are the qualifications of the non-Muslim recruits?

APPOINTMENT OF MUSLIMS AS EXAMINERS OF PAPERS FOR THE RAILWAY ACCOUNTS EXAMINATION.

475. ***Mr. Anwar-ul-Azim:** (a) Have Muslim officers ever been appointed as examiners of papers for the Railway Accounts Examination since its introduction? If so, when and of how many papers?

(b) If Muslims are not being appointed as examiners, why not?

(c) What is the total cost of remuneration paid to these examiners each year?

The Honourable Sir Basil Blackett: As regards parts (a) and (b) of the question I would refer the Honourable Member to my reply to unstarred question No. 239 on the 19th March, 1926. The information asked for in part (c) is being obtained and will be supplied to the Honourable Member in due course.

TRANSFER OF THE RECRUITMENT OF PROBATIONARY ACCOUNTANTS IN THE RAILWAY AUDIT DEPARTMENT TO THE PUBLIC SERVICE COMMISSION.

476. ***Mr. Anwar-ul-Azim:** Has the recruitment of probationary accountants in the Railway Audit Department been transferred to the charge of the Public Service Commission as is the case in other Imperial and subordinate services under the Central Government? If not, why not?

The Honourable Sir Basil Blackett: It is not contemplated in the rules relating to the functions of the Public Service Commission that the Commission should conduct examinations for any Services of lower status than Central Services, Class II.

PROMOTION TO HIGHER RANKS OF ASSISTANT ACCOUNTS OFFICERS UNDER THE ACCOUNTANT GENERAL, RAILWAYS.

477. ***Mr. Anwar-ul-Azim:** Will Government please state how many officers of Assistant Accounts Officer's rank under the Accountant General.

† For answer to this question, see answer to question No. 471.

Railways, have been promoted to higher ranks and how many of them are Muslims?

The Honourable Sir Basil Blackett: The information required by the Honourable Member has been asked for and will be furnished to him as soon as received.

PAMPHLET ENTITLED "SURVEY OF RAILWAY CLEARING ACCOUNTS OFFICE."

1478. ***Mr. Anwar-ul-Azim:** (a) Will Government please state if the Pamphlet "Survey of Railway Clearing Accounts Office" has been brought to their notice?

(b) Is it a fact that some clerks as mentioned in that pamphlet were appointed on high salaries in the Railway Clearing Accounts Office? If so, will the Government please state the total number of men so appointed and how many of them were Muslims?

(c) Is it a fact that some clerks who did not pass the examination of clerk, class I, in the North Western Railway Audit Office, have been promoted to the post of sub-head? If so, will the Government please state the number of Hindus and Muslims so promoted respectively?

(d) Is it a fact that some Matriculate Hindus have been appointed on Rs. 60 or 80 while graduate and undergraduate Muslims have been appointed on Rs. 50 only? If so, why?

(e) Is it a fact that the contract for supplying furniture and stationery has been given to the Khosla Press, which has shifted from Lahore to Delhi with this office?

(f) Will Government please state whether stationery is not available from any other firm in Delhi at lower rates?

(g) Will the Government please state:

(i) How many men were appointed as Inspectors in the Railway Clearing Accounts Office up to the 31st December, 1927?

(ii) How many are Muslims among them?

(iii) How many men have been taken as Inspectors after the 1st January, 1928?

(iv) How many are Muslims among them?

ALLEGED ASSAULT BY THE FOREMAN OF THE VACUUM BRAKE SHOP ON MOHAMMED HUSSAIN, A WORKMAN OF THE CARRIAGE AND WAGON SHOPS AT MOGHULPURA.

479. ***Mr. N. M. Joshi:** (a) Is it a fact that on the 26th January, 1928, one Mr. Mohammed Hussain a workman of the Carriage and Wagon Shops at Moghulpura was beaten and kicked by the Foreman of the Vacuum Brake Shop?

(b) Is it a fact that the said workman was sent to the Mayo Hospital where he stayed from 26th January to 2nd February?

(c) Is it a fact that he was not paid for the days of absence caused by the assault on him by the Foreman?

(d) Will Government be pleased to state whether they have made any enquiries into the matter? If so, will they be pleased to state the result of the enquiry?

(e) Will Government be pleased to state whether the Foreman who assaulted the workman was awarded any punishment?

Mr. A. A. L. Parsons: (a) and (b). Government understand that the Foreman handled the man mentioned roughly, and that he was treated as an outpatient at Mayo Hospital.

(c) No.

(d) No; but the Agent made full enquiry.

(e) The foreman was punished.

Mr. N. M. Joshi: May I ask, Sir, what is the reply to the last part of my question?

Mr. A. A. L. Parsons: The foreman was punished.

Mr. N. M. Joshi: May I know how he was punished?

Mr. A. A. L. Parsons: I do not remember the exact details. Sir, but, when I obtained the information in order to reply to the Honourable Member's inquiry, I satisfied myself that the punishment was adequate.

Mr. N. M. Joshi: May I know, Sir, what the punishment was in order that I may judge whether it was adequate?

Mr. A. A. L. Parsons: Will the Honourable Member please put down a question?

Mr. N. M. Joshi: Sir, I have put down a question, but unfortunately I have not received any exact reply.

PAY OF THE CLERICAL STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

480. ***Mr. Anwar-ul-Azim:** Will the Honourable Member in charge of the Industries and Labour Department be pleased to state what the present position is of the Director General, Posts and Telegraphs' Office, i.e., whether it is a subordinate or an attached office or a Secretariat proper? If it is one of the three classes mentioned above, are the rates of pay of the clerical staff fixed accordingly? If not, why not?

The Honourable Sir Bhupendra Nath Mitra: The office of the Director-General, Posts and Telegraphs, at present works in some respects like an attached office of the Government of India. The office, however, as a whole, does not move with the Government of India as attached offices do, and the clerical staff, therefore, do not receive pay on the scales fixed for moving attached offices. Suitable scales of pay have been introduced with effect from the 1st August, 1927, the date on which the transfer of the office from Calcutta to Delhi was completed.

LOCATION IN SIMLA DURING THE WINTER MONTHS OF THE WIRELESS BRANCH OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

481. ***Mr. Anwar-ul-Azim:** (a) Will the Honourable Member in charge of the Industries and Labour Department be pleased to state whether the Wireless Branch is a part of the Director General, Posts and Telegraphs

Mr. A. A. L. Parsons: (a) The Works are being made ready for the manufacture of coaching underframes.

(b) No. The Works are not equipped for the manufacture of locomotives.

(c) That portion of the machinery and plant purchased from the Peninsular Locomotive Company which can be utilised for the manufacture of coaching underframes is being retained in the Works; the balance has either been transferred to other railway workshops or has been sold.

(d) No scheme for the conversion of the Works has been laid before the Standing Finance Committee for Railways, though the Committee have been apprised of the position, and their approval has been asked and obtained to the superior staff which will be required when the manufacture of underframes is undertaken.

(e) No. But a 450 ft. extension to one erecting shop to carry 5-ton cranes is being undertaken at a cost of, I understand, about 3 lakhs, and an additional 150 ft. open gantry at a cost of rather less than 1 lakh. Some other minor alterations are also being carried out. New machinery costing about 5½ lakhs will be required for the economical manufacture of coaching underframes, and has been ordered. It is not proposed to utilise the Works for the manufacture of anything but coaching underframes—including, of course, the component parts of coaching underframes.

(f) I have just given the information about machinery and plant. The Production Engineer—one of the appointments approved by the Standing Finance Committee for Railways—has been engaged in England.

(g) Yes. In addition to two firms in Calcutta, of whom the Honourable Member is no doubt aware, coaching underframes have for many years been built in railway workshops, particularly those of the Bombay, Baroda and Central India and the Burma Railways.

(h) The Standing Finance Committee is an advisory body whose functions are stated in clause 6 of the Resolution regarding the separation of railway from general finances adopted by the Legislative Assembly on the 20th of September, 1924. It is the practice to place all large projects for new expenditure on Railways before them before they are undertaken, and to ask their approval to such projects, even though they may have already found a place in a Demand for a Grant passed by the Legislative Assembly.

Sir Darcy Lindsay: What was the necessity. Sir, for expending this large sum of money on fitting out the Peninsular Locomotive Works for the manufacture of underframes when on your own admission there are firms in the country capable of undertaking the work?

Mr. A. A. L. Parsons: I think the circumstances in which the Government purchased the Peninsular Locomotive Company are known to most Members of the House and certainly to my Honourable friend. The reason for equipping them in order that they can manufacture underframes economically is that otherwise we could not use these Works to any benefit.

Sir Hari Singh Gour: Have the Government explored the possibility of utilising these Works for the manufacture of locomotives for which these Works were started with a definite promise from Government?

Mr. A. A. L. Parsons: Government are satisfied that with the equipment of the Works as they were taken over it would be impossible to manufacture locomotives in them.

Sir Hari Singh Gour: The question I asked was a different one. Did the Government explore the possibility of manufacturing locomotives in India for which this Company was started with an assurance given by the Railway Board that it will receive its patronage?

The Honourable Sir George Rainy: I think, if the Honourable Member will recall to his memory what has passed in this matter, he will remember that the Tariff Board in 1924 expressed the view that the manufacture of locomotives in India should not be encouraged. As a result partly of that recommendation the Peninsular Locomotive Company adopted their Works for the manufacture of wagons and underframes and at the time when the Government of India purchased the Works, the question of the manufacture of locomotives in these Works was no longer a practical proposition and therefore was not at that time considered by the Government.

Mr. H. G. Cocke: May I ask whether the Government, before they decided to manufacture underframes in these Works, went into the respective cost of doing so there as against the cost of obtaining similar underframes outside?

Mr. A. A. L. Parsons: Yes, Sir.

Mr. H. G. Cocke: May I ask what was the result?

Mr. A. A. L. Parsons: They considered that at the price at which they were purchasing the Works, it would be financially to their advantage to manufacture underframes there, taking into account the price at which they had been obtaining underframes from the two firms which I mentioned.

Sir Hari Singh Gour: Are the Government sure that the manufacture by them of underframes would not prejudice private enterprise?

The Honourable Sir George Rainy: Government, when they came to their decision, took into account all the relevant circumstances of the case.

Mr. N. M. Joshi: May I ask whether the Government are not aware that this Assembly has passed a Resolution in favour of State management of Railways including the production of railway material under State control?

The Honourable Sir George Rainy: I am afraid I am not conversant with the exact terms of the Resolution adopted by the Assembly. I am aware that this Assembly expressed a view in favour of the State management of Railways, but I was not aware that it committed itself to the full length of saying that the whole of the equipment should be made in railway workshops.

Sir Purshotamdas Thakurdas: Do Government propose to put their estimates of the cost of production in the new factory before the Railway Standing Finance Committee within the next few months?

Mr. A. A. L. Parsons: I had not intended to do so, Sir. It is not exactly within the functions of the Standing Finance Committee. But after I have a new Committee, if they show any desire to see the figures, I should be delighted to put them before them.

Sir Purshotamdas Thakurdas: Do I understand that the Honourable Member has no objection to put the figures of estimates before the Standing Finance Committee if any member of that Committee expresses his desire to the Honourable Member?

Mr. A. A. L. Parsons: That is what I said, Sir.

Sir Purshotamdas Thakurdas: Thank you.

CATALOGUE OF THE BOOKS AND PUBLICATIONS IN THE CENTRAL LIBRARY OF THE COUNCIL HOUSE.

485. ***The Revd. J. C. Chatterjee:** Will Government be pleased to state, if a printed catalogue of the books and publications in the Central Library of the Council House, can be made available to each Member of the Central Legislature?

Mr. L. Graham: A catalogue with a subject index is under preparation. It is expected that it will be printed and distributed to Members of the Legislature before they return to Delhi.

ISSUE OF BOOKS AND PUBLICATIONS FROM THE CENTRAL LIBRARY WHEN THE LEGISLATURE IS NOT IN SESSION.

486. ***The Revd. J. C. Chatterjee:** Will Government be pleased to state, if arrangements can be made for the issue of books and publications from the Central Library during the time that the Legislature is not in Session.

Mr. L. Graham: Books and publications can be issued from the Library when the Legislature is not in Session.

The Revd. J. C. Chatterjee: Can they be had by writing to the Librarian?

Mr. L. Graham: That is the proper procedure. If the Government are in Simla, then a letter to the Librarian will effect the necessary purpose.

UNSTARRED QUESTIONS AND ANSWERS.

RESIDENTIAL ACCOMMODATION FOR SUPERIOR OFFICERS, ASSISTANTS AND CLERKS IN NEW DELHI. ETC.

401. **Mr. Gaya Prasad Singh:** (a) Will Government please state the total number of quarters built at New Delhi up to 31st of October, 1927, for (1) superior officers, (2) clerks and assistants.—orthodox and unorthodox, separately? How many of these are set apart for the migratory staff of the Government of India?

(b) Will Government please state the total number of (1) superior officers, (2) superintendents, and (3) assistants and clerks of the Government of India who moved down to Delhi this year? How many of these under each head have been provided with quarters?

(c) Is it a fact that the Estate Officer is supplied with statements of the requirements of the Government of India migratory staff in July or August each year? If so, were any such statements prepared and sent to the Estate Officer in July or August last? Will Government please state the number of their requirements for the current season and the number of quarters (orthodox and unorthodox separately) actually allotted this season?

(d) Is it a fact that those who cannot be provided with quarters are given a separation allowance? If so, will Government please state the total amount paid and to be paid on this account this year as also during each of the last three years? Will Government please state what are the considerations for the grant of this allowance?

(e) Will Government please state what other allowances are given to those to whom residential accommodation is refused and who have to make their own arrangements outside New Delhi? What is the total amount paid and to be paid to these men this year in the shape of house rent and conveyance allowance?

(f) Will Government please state how many of the quarters at New Delhi are still occupied by the New Delhi P. W. D. men? At the time the plan of the quarters was finally made, was any provision made for the P. W. D. men? Is it a fact that quarters which are situated in places such as Clive, Cornwallis, Lawrence, Lake and Havelock Squares, as also in Park Lane, Talkatora Road, Asoka Road and Gurudwara Road which are within easy reach of the Secretariat Buildings are mostly occupied by the P. W. D. men?

(g) Is it a fact that there is no "D" type of unorthodox quarters and that "C" types are allotted to men entitled to "D"? If so, what was the amount of loss sustained by Government this year towards rent realized?

(h) Will Government please state the number of each of the "A", "B", and "C" types of quarters, both orthodox and unorthodox, available for allotment to the migratory staff, and the number of men entitled to these types of quarters, separately?

(i) Is it a fact that the unorthodox quarters of any one class are better as regards accommodation than the corresponding class of orthodox quarters? Is there any difference in rent between unorthodox and orthodox quarters?

(j) Will Government please state if it is a fact that the majority of the "B" and "C" class orthodox men have been refused accommodation this year as being "out of class", there being a paucity of these types of quarters?

The Honourable Sir Bhupendra Nath Mitra: (a) (1) Superior Officers.—218 bungalows and quarters, i.e., 198 bungalows and 20 quarters in Western Hostel. (The figure of 218 does not include 6 Honourable Members' bungalows, 2 Presidents' bungalows, 7 Viceregal Estate bungalows, and 2 A.-D.-C.'s bungalows.)

(2) Unorthodox clerks' quarters.—257 quarters including 72 single quarters.

(The figure of 257 excludes 23 Schedule B quarters of the Viceregal Estate not ordinarily available.)

Orthodox clerks' quarters.—1,213 quarters including 104 single quarters.

(The figure of 1,213 excludes 64 Viceregal Estate quarters not ordinarily available.)

No definite numbers of bungalows and quarters are set apart for the migratory staff as under the rules all Departments are allotted the same proportion of their demands with due regard to their liens.

(b) The following gazetted and non-gazetted migratory staff moved down to Delhi during this year:

	Total number moved down to Delhi.	Total number provided with accommodation.
Gazetted Officers including Superintendents.	394 (excluding 6 Honourable Members, 2 Presidents and including 134 officers of the Army Headquarters located in Old Delhi.)	215 (excluding 6 Honourable Members, 2 Presidents, 6 officers accommodated in Viceregal Estate bungalows and A.-D. C.'s bungalows. 13 bungalows allotted to the Legislative Department for M.L.As. 3 bungalows allotted to Gymkhana Club and including 65 officers of Army Headquarters, etc., accommodated in Old Delhi.
Non-gazetted staff	1,845 (including 427 brought down by Army Headquarters, etc., in Old Delhi.)	822 (including 115 clerks of the Army Headquarters, etc., accommodated in Old Delhi and excluding single assistants who made their own arrangements with the caterers to whom the chummeries were leased.)

(c) The reply to the first and second portions of this question is in the affirmative.

The requirements and allotment for the current season are as follows:

....	Requirements.	Number of quarters actually allotted.
Gazetted Officers including Superintendents.	275 (including 98 officers of the Army Headquarters, etc., located in Old Delhi and excluding 6 Honourable Members and 2 Presidents.)	215 (including 65 officers of Army Headquarters, etc., accommodated in Old Delhi and excluding— 6 Honourable Members' bungalows. 2 Presidents' bungalows. 4 Viceregal Estate bungalows. 2 A-D-C's bungalows. 13 Bungalows allotted to the Legislative Department. 3 Allotted to the Gymkhana Club).
Non-Gazetted Staff, Unorthodox.	338 (including 93 quarters demanded by the Army Headquarters in Old Delhi.)	236 (including 47 quarters allotted to Army Headquarters, etc., in Old Delhi and excluding single assistants who made their own arrangements with caterers to whom the chumeries were leased).
Non-Gazetted Staff, Orthodox.	1,251 (including 242 quarters demanded by Army Headquarters, etc., in Old Delhi.)	586 (including 68 quarters allotted to the Army Headquarters in Old Delhi and excluding single assistants who made their own arrangements with the Imperial Secretariat Association to whom the chumeries were leased.)

(d) A separation allowance is given under certain conditions to those for whom married quarters are not provided and who leave their families behind at Simla. It is granted in view of the inconvenience and extra expense involved in maintaining two establishments.

(e) Conveyance and house rent allowances are granted.

The figures asked for in parts (d) and (e) will be obtained and supplied to the Honourable Member in due course.

(f) (1) 286 quarters are occupied by the local staff including the Central Accounts Office.

(2) No separate provision has been made for quarters for the local Public Works Department staff.

(3) The majority of quarters in Clive, Cornwallis, Lawrence and Lake Squares and Gurudwara Road are occupied by the Public Works Department staff. The majority of the quarters in Havelock Square are occupied by the non-migratory staff of the Government of India. Park Lane, Talkatora Road and Asoka Road quarters are mostly occupied by the migratory staff of the Government of India.

(g) No D class unorthodox accommodation is provided or contemplated so far. In accordance with the rules, C class quarters are intended for men living in unorthodox style and drawing Rs. 324 p. m. and under; hence the question of loss does not arise.

(h) The demand and allotment in respect of A, B and C class quarters during the current season was as follows. Those who demanded the respective types of quarters were entitled to them:

	Demands			Allotments.		
	A.	B.	C.	A.	B.	C.
Unorthodox clerks' quarters.	66 (includes 13-A, 17-B, and 42-C, demanded by the Army Headquarters in Old Delhi)	63	154	45 (includes 32-B, and 1 C, allotted to the Army Headquarters and 4-A, and 13-C, Schedule B quarters.)	88	57
	A.	B.	C.	A.	B.	C.
Orthodox clerks' quarters.	35 (includes 7-A, 11-B, and 67-C, demanded by Army Headquarters in old Delhi)	82	305	16 (includes 4-B, and 60-C, allotted to the Army Headquarters in Old Delhi)	18	218

(i) The unorthodox quarters are more commodious than the orthodox quarters and the former carry a higher rate of rent than the latter as shown below:

		Rs.
A Class	Unorthodox	56 per mensem.
	Orthodox	41 "
B Class	Unorthodox	41 "
	Orthodox	27 "
C Class	Unorthodox	52 "
	Orthodox	21 "

(j) The Honourable Member is referred to the reply to part (h) of this question.

PAUCITY OF RESIDENTIAL ACCOMMODATION FOR CLERKS AND ASSISTANTS IN NEW DELHI.

402. **Mr. Gaya Prasad Singh:** Are Government aware that there is a strong feeling among clerks and assistants of the Government of India migratory staff owing to the fact that inability to secure quarters just on the eve of their move down to Delhi generally puts them and their families to great inconvenience? What steps do Government propose to take to overcome the hardships of their clerks and assistants in respect of paucity of residential accommodation at New Delhi?

The Honourable Sir Bhupendra Nath Mitra: Government are fully aware of the facts of the accommodation problem. They have already decided to build more orthodox clerks' quarters in New Delhi.

SCALE OF COURT-FEES IN THE NORTH-WEST FRONTIER PROVINCE.

403. Mr. Gaya Prasad Singh: (a) Is it a fact that the scale of court-fees in the North-West Frontier Province is higher than that in the Punjab? If so, to what extent?

(b) Is it a fact that formerly the scale of court-fees was equal in both the Provinces, but when it was increased in the Punjab, the scale was also increased in the North-West Frontier Province; but subsequently the scale was reduced in the Punjab, but no reduction was effected in the North-West Frontier Province?

(c) Have any representations been received by the Government on this subject, and what action has been taken in the matter?

(d) Do Government propose to reduce the court fees in the North-West Frontier Province, and bring them down to the level of those obtaining in the Punjab? If not, why not?

The Honourable Mr. J. Crerar: (a) Yes, as regards suits of value below Rs. 500 only.

(b) Yes.

(c) Yes, the matter is under consideration.

(d) It is hoped that a decision will be arrived at during the course of this year.

RESIDENTIAL ACCOMMODATION FOR SUPERIOR OFFICERS, ASSISTANTS AND CLERKS IN NEW DELHI, ETC.

404. Mr. N. M. Joshi: (a) Will Government please state the total number of quarters built at New Delhi up to 31st of October, 1927, for (1) superior officers, (2) clerks and assistants—orthodox and unorthodox separately? How many of these are set apart for the migratory staff of the Government of India?

(b) Will Government please state the total number of (1) superior officers, (2) superintendents, and (3) assistants and clerks of the Government of India who moved down to Delhi this year? How many of these, under each head, have been provided with quarters?

(c) Is it a fact that the Estate Officer is supplied with statements of the requirements of the Government of India migratory staff in July or August each year? If so, were any such statements prepared and sent to the Estate Officer in July or August last? Will Government please state the number of their requirements for the current season and the number of quarters (orthodox and unorthodox separately) actually allotted this season?

(d) Is it a fact that those who cannot be provided with quarters are given a separation allowance? If so, will Government please state the total amount paid and to be paid on this account this year as also during each of the last three years? Will Government please state what are the considerations for the grant of this allowance?

(e) Will Government please state what other allowances are given to those to whom residential accommodation is refused and who have to make their own arrangements outside New Delhi? What is the total amount paid and to be paid to these men this year in the shape of house rent and conveyance allowance?

QUARTERS IN NEW DELHI OCCUPIED BY MEN OF THE PUBLIC WORKS DEPARTMENT.

405. **Mr. N. M. Joshi:** (a) Will Government please state how many of the quarters at New Delhi are still occupied by the New Delhi P. W. D. men?

(b) At the time the plan of the quarters was finally made, was any provision made for the P. W. D. men?

(c) Is it a fact that quarters which are situated in places such as Clive, Cornwallis, Lawrence, Lake and Havelock Squares, as also in Park Lane, Talkatora Road, Asoka Road and Gurudwara Road, which are within easy reach of the Secretariat Buildings, are mostly occupied by the P. W. D. men?

LACK OF RESIDENTIAL ACCOMMODATION IN NEW DELHI FOR MEN OF THE "B" AND "C" CLASS (ORTHODOX).

406. **Mr. N. M. Joshi:** (a) Is it a fact that there is no "D" type of unorthodox quarters and that "C" types are allotted to men entitled to "D"? If so, what was the amount of loss sustained by Government this year towards rent realised?

(b) Will Government please state the number of each of the "A", "B" and "C" types of quarters, both orthodox and unorthodox, available for allotment to the migratory staff, and the number of men entitled to these types of quarters separately?

(c) Is it a fact that the unorthodox quarters of any one class are better—as regards accommodation—than the corresponding class of orthodox quarters? Is there any difference in rent between unorthodox and orthodox quarters?

(d) Will Government please state if it is a fact that the majority of the "B" and "C" class orthodox men have been refused accommodation this year as being "out of class", there being a paucity of these types of quarters?

The Honourable Sir Bhupendra Nath Mitra: I propose to answer questions Nos. 404 to 406 together. I would refer the Honourable Member to my answer to question No. 401 asked by Mr. Gaya Prasad Singh.

PAUCITY OF RESIDENTIAL ACCOMMODATION FOR CLERKS AND ASSISTANTS IN NEW DELHI.

407. **Mr. N. M. Joshi:** (a) Are Government aware that there is a strong feeling among clerks and assistants of the Government of India migratory staff owing to the fact that inability to secure quarters just on the eve of their move down to Delhi generally puts them and their families to great inconvenience?

(b) What steps do Government propose to take to overcome the hardships of their clerks and assistants in respect of the paucity of residential accommodation at New Delhi?

The Honourable Sir Bhupendra Nath Mitra: I would refer the Honourable Member to my answer to question No. 402 asked by Mr. Gaya Prasad Singh.

SUPERVISION OF THE RECRUITMENT OF LABOUR FOR THE TEA GARDENS OF BENGAL, ETC.

408. **Mr. N. M. Joshi:** (a) Is there any arrangement for supervising labour recruitment for the tea gardens of Bengal, and the tea, coffee, rubber and other plantations of the Madras Presidency?

(b) If so, what are they and what is their scope and character as compared with those of the Assam Labour Board and commissions for recruitment for Ceylon, Singapore, etc.?

The Honourable Sir Bhupendra Nath Mitra: (a) and (b) There is no provision for supervising the recruitment of labour for the tea gardens of Bengal. With regard to the tea, coffee, rubber and other plantations of the Madras Presidency, the attention of the Honourable Member is invited to section 4 of the Madras Planters Labour Act, 1903. This Act will, however, cease to have effect from the 1st January 1929 when "labour contracts" will be abolished.

ANNUAL REPORT ON THE WORKING OF THE ASSAM LABOUR AND EMIGRATION ACT.

409. **Mr. N. M. Joshi:** (a) Is there any annual report published by the Government of India on the working of the Assam Labour and Emigration Act?

(b) If not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) The answer is in the negative.

(b) The Government of India do not consider it necessary to publish such a report. Copies of the annual reports of the Provincial Governments concerned are available in the Library of the House and the more important reports are also published by Local Governments. The annual report on the working of the Assam Labour Board is published in the Gazette of India.

INSPECTION OF TEA GARDENS IN ASSAM, BENGAL AND MADRAS.

410. **Mr. N. M. Joshi:** What arrangements have the Local Governments of Assam, Bengal and Madras made to supervise the treatment meted out to the workers in the tea gardens and to find out whether they are provided with their due privileges such as their proper housing, medical assistance, wages, etc.?

The Honourable Sir Bhupendra Nath Mitra: In Assam the Local Government have framed rules under the Assam Labour and Emigration Act providing for the inspection of tea gardens employing immigrant labour.

The Madras Planters Labour Act, 1903, contains provisions for the inspection of such estates. This Act will cease to have effect from the 1st January, 1929, when "labour contracts" will be abolished. In Bengal there is no legislation corresponding to the Assam Labour and Emigration Act VI of 1901 or the Madras Planters Labour Act, 1903.

EXPENDITURE INCURRED ON ACCOUNT OF TRAVELLING ALLOWANCES, DAILY ALLOWANCES, ETC., OF MEMBERS OF THE COUNCIL OF STATE AND THE LEGISLATIVE ASSEMBLY IN RESPECT OF THE DELHI AND SIMLA SESSIONS OF 1927..

411. **Mr. Gaya Prasad Singh:** Will Government kindly lay on the table a statement showing separately the amount of expenditure in holding the Sessions of the Council of State and the Legislative Assembly in Delhi and Simla last year, noting under different heads the amount spent in halting allowance of Honourable Members, motor car haulage, and conveyance allowance?

Mr. L. Graham: A statement giving the required information is laid on the table.

I. DELHI SESSION, 1927.

	Council of State.		Legislative Assembly.		Total.	
	Rs.	A.	Rs.	A.	Rs.	A.
1. Travelling allowance of Members	18,798	3	40,608	3	59,406	6
2. Daily allowance of Members	39,720	0	1,54,520	0	1,94,240	0
3. Haulage of motor cars	18,979	7	35,064	3	54,043	10
4. Conveyance allowance	3,032	6	20,305	8	23,337	14
Total	80,530	0	2,50,497	14	3,31,027	14

II. SIMLA SESSION, 1927.

	Rs.		Rs.		Rs.	
	Rs.	A.	Rs.	A.	Rs.	A.
1. Travelling allowance of Members	18,938	7	43,725	14	62,664	5
2. Daily allowance of Members	21,080	0	77,300	0	98,380	0
Total	40,018	7	1,21,025	14	1,61,044	5

REVISED SCALE OF PAY OF THE SORTERS OF THE RAILWAY MAIL SERVICE.

412. **Mr. Srish Chandra Dutta:** (a) Will the Government be pleased to state the causes delaying the publication of the revised scale of pay, with effect from the 1st March, 1927, of the sorters of the Railway Mail Service?

(b) Is it a fact that the pay of the sorters of the Railway Mail Service under the revised scale has not yet been drawn and disbursed to them even now (March 1928)?

(c) If the answer to (b) be in the affirmative, what are the causes of this abnormal delay?

(d) Is it a fact that such a delay is due to the delay by the Audit Office in returning the bills pre-audited?

Mr. H. A. Sams: (a) The delay in issuing orders was due to the necessity for settling a number of subsidiary points before the revised scales could be announced.

(b) No. The available information indicates that the pay of the sorters of all Railway Mail Service Divisions under the revised scale was paid before the end of January.

(c) and (d). Do not arise.

EMPLOYMENT OF UNPAID PROBATIONERS IN THE POST OFFICE AND THE RAILWAY MAIL SERVICE DIVISIONS.

413. Mr. Srish Chandra Dutta: (a) Is it a fact that the system of unpaid probationership was condemned by the Postal Committee of 1920 and was abolished on 1923 and that it has again been revived in the Post Office and Railway Mail Service Divisions, specially in the Bengal and Assam Circle?

(b) Is it a fact that such probationers are recruited on the results of examinations held by the Divisional Superintendents, and are required to attend a Head Post Office or Head Record Office daily just like the paid regular officials of the department and have to work fully, although they are paid nothing ordinarily.

(c) Will the Government be pleased to state the reasons that led them to reintroduce a system that was condemned and abolished not very long ago?

(d) Will the Government be pleased to state the nature of the examination at which candidates for employment in the department have to sit? Are graduates required to pass the same examination as non-graduate candidates in spite of their higher educational qualities?

(e) Is it a fact that the candidates who are recruited as unpaid probationers are employed to supplement the leave reserve, at least in the post offices and that they are made to work regularly as members of the permanent staff.

The Honourable Sir Bhupendra Nath Mitra: (a) The reply to the first part is in the affirmative and to the last part in the negative.

(b) and (c). A copy of rule 469 of Post Office Manual, Volume II, which deals with the subject is being supplied to the Honourable Member. In order that the leave reserve sanctioned for post offices may be a trained reserve, candidates for employment are, after selection, permitted to attend a post office in order to learn work. They are not employed in performing the regular work of the office which is done by the sanctioned staff of that office. This system is not the same as that of unpaid probationers, as will be evident to the Honourable Member by a perusal of rule 469 now being supplied to him. The period of training does not exceed 3 months and when once a candidate has completed his training, he is not required to work in the office.

(d) Paragraph (3) of the Rule 469 of the Post Office Manual, Volume II, mentions the nature of the examination which is required of candidates who have not passed any University examination. Graduates are not required to pass any examination.

(e) No; as already stated, there are no unpaid probationers employed to supplement the leave reserve and it is distinctly laid down in rule 469 (1) (c) that no candidate should either before or after training be employed in filling the place of an official on leave.

THE INDIAN FINANCE BILL—*contd.*

Mr. President: The House will now resume further consideration of the motion moved by the Finance Member that the Finance Bill be now passed.

Sir Victor Sassoon (Bombay Millowners Association: Indian Commerce): Sir, in racing phraseology if you thrash a horse too much and too often, he is liable to turn sour, and I submit that the frequent trouncings that Government have received in the lobbies during this Session have only resulted in turning them sour. They have been beaten so often when they have done nothing wrong that they have ceased to realise or care when they are mistaken.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Have they ever realised it?

Sir Victor Sassoon: And that is my reason for asking my friends not to follow Pandit Malaviya into the lobby, because, by now even the densest supporter of the Government must have some glimmerings at least that the administration of the Government of India Act of 1919 is not entirely satisfactory in the eyes of the Opposition.

To turn down the Finance Bill is only one more gesture of a type to which we have become accustomed lately and cannot add to any impression that has been made either on the Government or on the House or on the public outside.

My objection to these continued gestures is that they only result in the Government ceasing to care what this House thinks of them even in matters that do concern their administration and not merely in matters which only concern the authors of the Government of India Act or the Secretary of State or the British Legislature. For instance, some of us who devote a certain amount of time to specialising in particular subjects are finding that we do not even get a reply to our reasoned comments. The House will remember that in the general discussion on the Budget I pointed out where the administration of a Government department appeared to be faulty, and made at least one constructive suggestion which would have benefited both the citizen and the revenues of this country. The House was informed in reply that the criticism that was forthcoming was to be taken as a proof of the efficiency of the department and no attempt was made to deal with my points. Only the other day, I put forward a small amendment to a measure before the House dealing with super-tax on companies and not on individuals. The passing of that amendment would only have bound the House for one year. At the end of that year the matter would have come up to be reviewed, and, if the results had proved beneficial, Government could then have moved to put it on to the permanent Statute-book; if not, this House could have dropped it. But how was it dealt with by the Leader of

the House? It was opposed because it was not put forward as a permanent measure at the outset. It was opposed because it was alleged that the matter was *sub judice*, although I challenge any member of Government to show that there is any case before the court involving this question of company super-tax. It was opposed because it was maintained that this amendment was intimately concerned with a Bill now before the Select Committee. There are times when I wonder whether the Honourable the Leader of the House has not got bogus companies on his brain. Here we had a question of a tax to be paid by a company whether the profits were eventually distributed or not, and we were told that it had some relationship with a Bill dealing with bogus companies which do not distribute their profits to their individual shareholders. In my opinion, the amendment which I put forward and the Bill before the Select Committee were as analogous as the Simon Commission is to a dairy farm.

The point I wish to make is this, that no Government would treat Members of this House in this way if that Government had the slightest regard for the House or its opinion. Nor could any Government justify to the world this treatment towards the reasoned arguments of any Member of the House unless that Government could bring forward proof that the House had by its vote so often proved itself so completely indifferent to logic or facts or reasoned arguments that it was unnecessary for Government even to attempt to argue seriously. My Honourable friends on the Swarajist Benches have been urging Government to rule openly as autocrats without the help of the Legislature, and gestures of this kind are designed to hasten that end. They have at any rate found my Honourable friend, the Leader of the House, an apt pupil. He has shown his capacity to non-co-operate with those Members who criticise, not destructively but constructively, the administration of the Government. He has shown his ability to follow the example of my Swarajist friends in walking out and also in walking in. In fact, it appears to me that he has proved a very promising neophyte to the Swarajist Party, should they wish to add to their ranks. But, Sir, in all seriousness, although I fully appreciate that carrying on the Government of India under present conditions must be at times rather like the labours of Sisyphus, and although the House, as a whole, shows itself only enthusiastic when it takes part in those continued sterile debates on constitutional questions—debates which remind me more than anything else of the weekly peregrinations of a leg of mutton in a sea-side boarding house—from hot joint to cold joint, from cold joint to hash, from hash to rissoles, but whatever the disguise always the same old mutton—although this House with some exceptions does not show any inclination to follow the actual administration of Government except perhaps when it brings up threadbare subjects like postcards and matters of that kind, I still feel that Government should encourage Members of this House to develop criticisms that leave the beaten track. I appreciate the fact that it would not be possible to expect Members on the Front Benches of Government to be experts in all subjects. As a matter of fact, I have an intense admiration for the way in which the Front Bench deals with the variety of subjects that come before it. I would, however, suggest that they should make use of the latent talent which I feel sure exists behind. I think it would be of great advantage if the Government were to delegate to nominated

[Sir Victor Sassoon.]

official Members behind them certain subjects and ask them to specialise in those subjects. It would enable reasoned arguments to be brought forward from the Government Benches against the reasoned arguments of non-official Members who attempt to specialise. I feel that it would add to the interest of the nominated official Benches. I feel that the lot of the nominated official in this House must be very dull. (*An Honourable Member*: "Why?") (*Another Honourable Member*: "He has only to vote.") There are times when I wonder whether if it were not for the gentle exercise that they receive in walking into the lobbies, there might not be a risk of complete atrophy of their physical as well as their mental powers. I do therefore put it forward as a subject worthy of mental note to whoever may happen to be the Leader of the House in the forthcoming session.

Now, Sir, before I resume my seat I should like to take this opportunity to wish good fortune and good luck to Sir Basil Blackett. It has been my fate to find myself in strong disagreement with his views at times, and I think it must be admitted that I have not failed to express myself as definitely opposed to him on those occasions. But, at any rate, I have realised to the full and appreciated what I feel sure other Members of this House must have realised and appreciated, and that is that, according to his lights, Sir Basil has acted as he has in the interests of India. We may not—some of us—have agreed with his action, but that does not mean that we are necessarily right or that he is necessarily wrong. Time alone will show that, and I do feel that Sir Basil Blackett cannot be termed by any means a sun-dried bureaucrat or a reactionary. In fact, I think that this country should appreciate the fact that in Sir Basil Blackett they have had a friend at Court, and those who agree that the constitutional freedom of India should be developed and advanced on constitutional lines, will feel that in that direction Sir Basil Blackett's departure from this country is a distinct loss to it. I do not think that India realises what a good friend she has had in that respect. Sir, I hope that Sir Basil will accept this my modest posy and place it amongst the floral tributes he has received. It is at any rate a sincere offering from one who has been his political opponent, but though I have been a political opponent I yield to none in my admiration and my regard for Sir Basil Blackett's attainments, for his abilities and for his charming individuality.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): There are some Honourable Members in this House who for reasons of their own can never be happy without running the gauntlet of the Honourable the Finance Member and the Finance Department. While they have talked, Sir Basil Blackett has acted. Sir, an era of deficit budgets totalling 100 crores of rupees has been replaced by a period of surpluses. The provincial contributions which have been hanging over the provinces like the sword of Damocles have been finally and irretrievably extinguished. The cotton excise duty has been abolished. The exports and the imports of the country have increased except a falling off in raw cotton material due to bad harvests. The rupee has been stabilized. The Railway Budget shows the growing prosperity of India and will in turn stimulate activity in commerce and agriculture. In short India's commerce has been increasing steadily. If Sir Basil Blackett had done

nothing else but overthrown the provincial contributions, that would have been enough to give him credit and praise. In fact he has done much more than the Swarajists imagine. He has been working for the cause of India and India must be grateful to him for his wise and prudent policy of finance during a very difficult period indeed. Sir, Sir Basil Blackett has done all for India that he could do and India should be sorry that she is going to lose such an able Finance Member. We shall all miss him. I congratulate him sincerely on the excellent work he has done. That work was also praised by His Excellency the Governor General only the other day. Sir, he has been a better Swarajist than many of the so-called Swarajists.

Lala Lajpat Rai: Even better than yourself?

Mian Mohammad Shah Nawaz: Even better than yourself. There are some Members in this House who in spite of experience and their so-called ability indulge in these frivolous obstructions, and the Honourable Member who interrupted me is one of those. He knows perfectly well, at least he ought to know, that the finances of the country have been set on a very sound basis. He ought to know that Sir Basil Blackett has brilliantly displayed not only financial capacity of a very high order but a singular combination of political talents.

Lala Lajpat Rai: What do you know of finance?

Mian Mohammad Shah Nawaz: I know more than you who in spite of experience still remain ignorant. The Finance Member's ability has been admired both here as well as in England. The success of the recent sterling loan also adds to his credit. The commerce of the country has increased and he has abolished the provincial contributions which have been a thorn in the flesh of the provincial finances. In future the provinces can make their own programme for the progress of the nation-building departments. It is no good resorting to obstruction which has been the order of the Opposition Benches. The Finance Bill must be passed. We have discussed the Bill clause after clause. At its last stage it would be most improper to reject it. I submit that Sir Basil Blackett is one of those Englishmen who have done admirable work for this country and whose work will live in this House. He has every reason to congratulate himself on his achievements during his term of office as Finance Member.

Mr. Jamnadas M. Mehta (Bombay City: Non-Muhammadan Urban): I have listened to Mr. Shah Nawaz's complaint of frivolous obstruction; but I think even that kind of obstruction is much better than the frenzied flunkeyism so characteristic of Mr. Shah Nawaz and the Benches which he adorns. I shall deal with him later. In the meantime I would like to congratulate the Assembly on the splendid work it has done on the Budget and I would request Honourable Members in all parts of the House to follow it up by throwing out this Finance Bill. Ink and pen seem to have been busy in the Viceregal Lodge during the last week; the considered judgment and the vote of the House have been flouted and the various items which we had cut down have been restored unceremoniously. Sir, what are these restoration, certification and veto? These are civil garments for despotic acts based on brute force. They are a thin veneer of constitutional respectability for what is downright and indecent autocracy. Behind the restoration, certification and veto is the power of coercion, the power of the bayonet and the power of bombing innocent people who dare

[Mr. Jamnadas M. Mehta.]

to oppose despotic measures. The fact of the matter is that the Government of India Act has been shown up once more. It has been badly battered, beaten, and finally broken but the Benches opposite are not going to take any lesson out of the last week's occurrences. The problem before the Government is two-fold. They want to maintain in all essentials an unbending and arbitrary form of government but they want simply to clothe that government with the trappings of democracy. We have got an elected majority. We are supposed to vote the Budget, vote for the Finance Bill, but all our votes and all our advice are treated with the utmost contempt, even when arrived at after the most mature deliberation. The problem before the Government, as I was saying, is two-fold, to maintain in all essential principles an absolutely autocratic and despotic government and to clothe it with the outward garb of democracy. They play at constitutional government while carrying on what is in substance a perfectly archaic and despotic form of government. Those Honourable Members who have read the story of Gil Blas would remember that the doctor in Gil Blas knew only two remedies for all ills, namely, bleeding and hot water. No matter what the disease was, no matter what the ailment was, whatever the condition of the patient, the moment the patient came for consultation, hot water and bleeding were prescribed. And the Benches opposite are like the doctor in Gil Blas. They believe only in two methods for governing this country, namely, coercion and extortion. They will extort the money in the name of the Finance Act whether the House passes this Bill or not. They will collect taxes through sham constitutional forms and if we resist this 'bleeding' then there is the hot water course of treatment, i.e., coercion by brute force. That, Sir, is the plain truth about the Government of India. Otherwise I cannot understand how any Government professing to respect public opinion could go on ignoring day after day the considered opinion and the vote of this House, as we are witnessing here.

I am sorry the Home Member is not present; take the Home Department. After an impartial survey of the work of that Department, can any Member say that it deserves to be run at the cost of the people of this country? The treatment of the Bengal detenus is sufficient to put Government out of court, Sir. Some figures were given last week by an Honourable Member on this side. They showed that after nearly five years there are still 16 men in jail outside Bengal. 25 men are domiciled in Bengal villages which are most marshy and malarious and they are left there to die of disease from insanitary surroundings.

Mr. W. A. Cosgrave: How many in their own villages?

Mr. Jamnadas M. Mehta: I am coming to that. I am more informed about it than the Honourable Member thinks. Only 9 are in their own villages; and they are in addition to the 25 mentioned above; these 9 are confined there and are practically prisoners in their own homes; 17 more are externed from Bengal and in all, Sir, there are nearly 70 people who have suffered in one way or other—men who have been accused of no crime, who have never been given a fair trial, who have never been convicted—70 of the very flower of Bengal: men who are in every way as fit for freedom as the people who tyrannise over them: these people are torn from their homes without any charge being made against them, from their

families, from their wives and children, from their parents—their families mostly unprovided for and their future uncertain, and they never know when they will again see the light of day. Sir, the health of many of these deportees and internees and externees is a matter of the gravest concern to their relatives. In particular, Sir, I will mention three cases. There is the case of Mr. Bepin Behari Ganguli. This gentleman was detained from the 9th March 1924, and his health has been officially reported to be indifferent, “has been under treatment for pyorrhea and suffers from dyspepsia”. As a matter of fact all his 32 teeth have been extracted and yet he is euphemistically described as suffering from pyorrhea. Then, Sir, take the case of Professor Jotish Chandra Ghosh. This gentleman was the co-worker of Arabinda Ghose. To-day on account of the trials and tribulations through which he has had to pass he is practically a paralytic, and, if not usually at least often, has been forcibly fed. Then there is the case of Mr. S. M. Ghosh. He has been transferred from Burma to Bombay and is now in the Yeravada jail. Sir, his height is 5 feet 8 inches and normally his weight ought to be 150 lbs. To-day his weight, as reported, is only 98 lbs. and he is a physical wreck. Besides, these people are kept away at such huge distances that even if their relations want to see them it is impossible for them to do so on account of the distance and expense. The food which they get, being non-Bengali in character, never agrees with them, and that is the reason for the bad health from which they are suffering. I ask this House whether they can honestly lay their hands on their heart and say that a Government which treats 70 young men of Bengal—highly educated, coming from the best families, against whom nothing can be openly urged—in such a tyrannical and oppressive manner deserves to be financed. But it is not merely Bengal alone. There are other cases and I shall quote one, that of one Jan Khan Pathan. This gentleman has been expelled from his residence without any trial. Here is the order, dated 26th March 1926, of the Deputy Commissioner of the Naga Hills:

“Whereas Jan Khan Pathan is found to have been concerned in a murder case and to be involved in a hostile friction between Pathans and Panjabi Mussalmans at Kangan colliery and therefore appears to be a person whom it is undesirable to allow to reside in or to travel in the Naga Hills district, I hereby order that he be permanently expelled from the Naga Hills in accordance with the provision of Chin Hills Act V, 1896.”

(*An Honourable Member*: “But was the man himself concerned?”) I am coming to that. As a matter of fact the so-called charge of murder was disproved and he was released. He has very important and substantial business interests in the Naga Hills; but now all his property is gone. His debtors refuse to pay him money because since his deportation he has been unable to go there and recover it and his repeated applications to the authorities to allow him to return have been refused. Sir, he was asked to deposit a security of Rs. 20,000 before he could be allowed to go to his home, and the poor fellow cannot afford Rs. 20,000. He is therefore practically a ruined man without any remedy, without any relief for all the misfortunes and all the injustices to which he has been subjected.

Mr. K. Ahmed: What is the offence?

Mr. Jamnadas M. Mehta: No offence is necessary; he has been deported at the sweet will of the Deputy Commissioner of the Naga Hills. Do you

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know that the provisions of some of these Acts are like this. The will of the Executive is the law. Anything that appears to the Executive to be wrong becomes wrong. If it appears to the District Magistrate that on a Sunday there may be a Friday, it is Friday in that district. You cannot disprove it, you cannot challenge it, his word is law, and the moment it appears to him that a man is guilty, he becomes guilty. No offence is necessary.

Mr. K. Ahmed: What is the reference of the case?

Mr. Jamnadas M. Mehta: I have given you sufficient particulars. The name of the man is Jan Khan Pathan. This gentleman settled in India years ago, has business interests there, is a rich man, has obtained the best certificates from the officials, was supposed to have been a murderer for which he was discharged, and yet he has been permanently deported, his financial interests are ruined, and he can get no access to the debtors against whom he has claims.

Sir Walter Willson: Your case is that he is a jolly good fellow?

Mr. Jamnadas M. Mehta: He was accused and he was discharged. I know nothing more, but there are official certificates in his favour, officials after officials have said he was a good man.

An Honourable Member: Will you read the Notification?

Mr. Jamnadas M. Mehta: I think I have read it.

Mr. K. Ahmed: Under what authority do they want security of Rs. 20,000?

Mr. Jamnadas M. Mehta: I will read the order of the Deputy Commissioner. This is dated the 26th March, 1926, and reads as follows:

"Whereas Jan Khan Pathan is found to have been concerned in a murder case"

—in which he was discharged—

"and to be involved in a hostile friction between Pathans and Punjabi Mussalmans"—

—there was some feud between these—

"I hereby order that he be permanently expelled from the Naga Hills in accordance with the provision of Chin Hills Act V of 1896."

Sir, I do not want to say anything more; it is not merely the Bengal deportees, the externees or internees: wherever it is inconvenient for the Government, they adopt these extra-legal measures restricting men's liberty, and in this particular case they have ruined both the business and the liberty of an individual. Sir, I am sorry that a Bombay Member of the Civil Service is responsible for a department so utterly arbitrary.

Mr. T. C. Goswami: Are Bombay civilians of a special brand?

Mr. Jamnadas M. Mehta: There is a side issue to this arbitrary and despotic system. The perpetual domination of Europeans, not merely in the Home Department but in all departments civil and military, is leading to the starvation and destitution of the masses. The other day I inquired of my Honourable friend Colonel Crawford as to the number of Europeans in this country and he very courteously gave me the following particulars. He said there were 60,000 soldiers. We all know there are 7,000 military

officers. Everybody knows there are 6,000 Europeans in the railway services and there are in all nearly 20,000 civilians and the rest of the population is non-official. Now, Sir, if you take 60,000 soldiers out and the number of women and children, you will have left 50,000 Europeans, official and non-official, foisted on this country simply on the ground of their colour,—and they get salaries ranging from Rs. 21,000 to something like Rs. 500. If you take the average salary of these 50,000 men at Rs. 2,000 a head, then, Sir, consider the consequences that follow. Rs. 2,000 will keep 200 Indians alive and every European, Sir, is therefore responsible for the death or starvation or destitution of 200 Indians (Laughter); and 50,000 Europeans living on 200 Indians apiece! Everyone of the Members on the Benches opposite who are forced on this country on account of its political subjugation is responsible for the death or starvation of 200 Indians, and I say, Sir, it comes to one crore of people every year. It is the direct result of the domination of Europeans in this country, and can any man say that a Government which is responsible for that state of affairs deserves to be put in funds?

Mr. F. W. Allison: May I ask the Honourable Member if that is the considered opinion of the economic experts of the Swaraj Party?

Mr. Jamnadas M. Mehta: This is a question of pure mathematics, Mr. Allison, it is merely an application of the rule of three. You can consider it at your leisure.

Then, Sir, I come to the Finance Department, and I am bound to observe that the fulsome flattery in which some Honourable Members have indulged on the Benches opposite about this five years' administration of the Finance Member can only be taken as sheer rubbish. My friend, Mr. Shah Nawaz, made himself responsible for the statement that under Sir Basil Blackett commerce had increased. Where he made this discovery from I cannot understand.

Mian Mohammad Shah Nawaz: Can you show that commerce has not made a steady progress during Sir Basil Blackett's term of office?

Mr. Jamnadas M. Mehta: Yes; certainly. I am glad that Mr. Shah Nawaz is willing to listen to realities. He will find on page 2 of the Review of the Trade of India for the year 1926-27 the trade figures mentioned. He will find the total exports and imports stated as follows:

"The value of the total exports of merchandise amounted to Rs. 309 crores as compared with Rs. 385 crores in 1925-26, showing a reduction of 20 per cent."

It is stated then:

"On the export side the total value of raw cotton and cotton manufactures exported fell from Rs. 105 crores to Rs. 70 crores",

a reduction of 35 crores.

Mian Mohammad Shah Nawaz: That I pointed out was owing to bad harvests.

Lala Lajpat Rai: Don't take him seriously, what does he know? He only knows how to flatter.

Mr. Jamnadas M. Mehta: If a figure which fell from Rs. 105 crores to 70 crores is to be called an increase, there is nothing which Mr. Shah Nawaz will not say. Then, Sir, raw cotton declined by 25 per cent.,—not increased.

officers. Everybody knows there are 6,000 Europeans in the railway services and there are in all nearly 20,000 civilians and the rest of the population is non-official. Now, Sir, if you take 60,000 soldiers out and the number of women and children, you will have left 50,000 Europeans, official and non-official, foisted on this country simply on the ground of their colour,—and they get salaries ranging from Rs. 21,000 to something like Rs. 500. If you take the average salary of these 50,000 men at Rs. 2,000 a head, then, Sir, consider the consequences that follow. Rs. 2,000 will keep 200 Indians alive and every European, Sir, is therefore responsible for the death or starvation or destitution of 200 Indians (Laughter); and 50,000 Europeans living on 200 Indians apiece! Everyone of the Members on the Benches opposite who are forced on this country on account of its political subjugation is responsible for the death or starvation of 200 Indians, and I say, Sir, it comes to one crore of people every year. It is the direct result of the domination of Europeans in this country, and can any man say that a Government which is responsible for that state of affairs deserves to be put in funds?

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The Honourable Sir Basil Blackett: Will the Honourable Member take a series of years and not one particular year which he knows is entirely false?

Mr. Jamnadas M. Mehta: The Finance Member can take 1927-28. I am quoting the figures of 1926-27 because that is the latest available; in both cases I am right.

The Honourable Sir Basil Blackett: Why quote from 1924-25 as if that was a normal year?

Mr. Jamnadas M. Mehta: Take the figures of the last few years and see whether there has not been a progressive decline. I say that there has been a progressive decline in the total foreign trade of this country since your policy materialised.

The Honourable Sir Basil Blackett: Why take 1924-25? I ask the Honourable Member to take figures fairly over a series of years and not to take the figures for one exceptional year.

Mr. Jamnadas M. Mehta: I take the figures for 1924-25 because before that you had not yet succeeded in bringing on the Statute-book that fateful measure of the Ratio. That measure was expected, so you said, to increase the trade and commerce of this country. It has done quite the contrary. I am going to quote an authority whose weight the Finance Member will himself admit. Here is the Annual Market Review of 1927 by Messrs. Premchand Roychand and Sons, an "authority" whose weight the Finance Member will not challenge. The representative of that firm was responsible the other day for making in this House a statement as wild and as false as that which Mr. Shah Nawaz has made.

Sir Walter Willson: Is the Honourable Member in order in accusing another Honourable Member of making a false statement? I think it is strong language.

Mr. President: The Honourable Member is in order in saying that a statement is false.

Mr. Jamnadas M. Mehta: On page 1 of that Review,—it is dated the 1st January, 1928, and the Finance Member will admit that as the latest

Mr. K. Ahmed: How can you rely on the statement of flunkeys?

Mr. Jamnadas M. Mehta: I am saying that even flunkeys are forced to admit the truth. On page 1, the Review says:

"Lowered commodity prices brought about by conditions in other parts of the world destroyed much of the benefit that might have accrued from the comparatively favourable monsoon of 1926."

Opinions may differ whether there were world causes or local causes but it did destroy the benefit. Again on page 8 it is stated:

"During the year, many mills have secured cheap cotton, and provided an adequate demand develops,"

—the proviso is very big—

"there is no reason why the present dull conditions should not be at least partly dissipated."

There is the admission of dullness. Then, Sir, there is another statement:

"The favourable conditions which marked the closing months of 1926 did not, unfortunately, prove of a very lasting nature. Although the first quarter saw fairly satisfactory trade, a change began to appear directly afterwards. . . . World factors, including the Japanese crisis, served, more than purely local causes, to render trade comparatively dull and to displace the optimism earlier felt."

Finally, the review is summed up in a manner which leaves no room for doubt as to what the view of the writer was:

"A summary of all factors leads one to the conclusion that a successful fruition of the foregoing issues together with the favourable monsoon should bring about substantial economic advancements throughout the new year. *That this is badly needed no one can question.*"

I hope the Finance Member will not question the statement of his own pupil. So much about the so-called increase of trade. The other day I quoted figures to show that new flotations of industrial concerns had gone down by nearly 75 per cent. since 1914; let it not be said, as it has been said in some quarters, that this is due to world causes. There is at least an improvement in England as follows: In 1913 in debenture bonds the public invested £139 millions; in 1924, £153 millions; in 1926, £145 millions; in 1927, £228 millions, so that investment in England in industrial activities has increased from £139 to £228 millions since 1913. The amount invested in preference shares has gone up from 22 to 36 millions; in ordinary shares the amount invested have gone up from 33 to 89 millions. This shows that world causes do not seem to operate in England as they are supposed to be operating in this country. So much about the comparative industrial development in this country and in England since 1913.

Sir, the two outstanding measures of the regime of Sir Basil Blackett are certainly the Ratio Bill and the abortive Reserve Bank Bill. I do not want to speak at length on either of these, but I do want to say that in its effects the Ratio Bill, now the Act of 1927, has proved most disastrous. The other day Mr. Kikabhai said that since 1923 the quotations of Government securities had gone up in the market; that the credit of India has increased thereby suggesting that the prosperity of India under Sir Basil Blackett was real. Now, Sir, the Finance Member cannot have it both ways. If he floats a loan and succeeds he says, "How high is your credit? I can successfully float a loan." If the loan is not successful, then he takes credit for the failure as you will see in this year's budget speech; explaining away the failure of the loan he says:

"Consideration for the interests of the tax-payer induced us to make the terms less attractive, and therefore it was not a success."

If the loan succeeds, India's credit is high: if it does not, then he has taken care of the pockets of the tax-payers. The real cause of the high prices of Government securities is different. The 18d. ratio now on the Statute-book has driven out all confidence from the investing public. If the prices of Government securities are high it is not because of the flourishing condition of the country but because people have got no faith in any industrial concern where they can confidently invest a few thousand rupees. Amidst depression all round the only safe investments are Government securities and that is the real reason of the spurt in the Government securities. But barring Government securities and the Savings Bank there is gloom and disaster all round in trade and industry. Unemployment is

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increasing. One of the grounds on which that disastrous measure was carried was the appeal to the labouring classes that they would at least stand to gain. The falsity of that ground is being demonstrated daily. You find strikes after strikes reported in the *Labour Gazette* month after month; and if only those Honourable gentlemen who talk tall about the prosperity of India would take care to refer to these facts, they will find that month after month, whether the strikes were for higher wages, whether they were for better conditions, whether they were for fewer hours of work, in 75 out of 100 cases, the workmen are being beaten—very poor comfort to those who were made to believe that in supporting the Ratio Bill they were safeguarding the interests of labour. The totality of the loss and ruin which Sir Basil Blackett has brought on this country by the appreciation of the rupee reminds me of the calamity which Warren Hastings brought on this country. Warren Hastings' rapacious activities were complained of in the House of Commons by Burke. But to-day the House of Commons will inspire no confidence in India and I am modest enough to admit that I am not Edmund Burke. Hastings was open in his rapacity. Sir Basil Blackett's methods are more clever. The only difference is in favour of Warren Hastings. His activities were confined to the United Provinces and Bengal. Sir Basil's spread from Cape Camorin to Attock, from Dwarka to Calcutta, in villages and in towns alike. The bad effects of his disastrous administration are being felt and will be felt for years to come after Sir Basil Blackett has said good-bye to this country. Here I join Sir Victor Sassoon in wishing Sir Basil Blackett good luck and good fortune in his retirement. Forgiveness is in our blood; it is our second nature. Mahatma Gandhi has taught us to love even our enemies and in that spirit I wish him all the joys in his retirement in spite of all the wrongs he has done to this country. He said the other day that some Members make no attempt even to be polite or courteous. I ask him in all earnestness whether we come here for social amenities to smile and be smiled at? Do we come here for that frivolous kind of social intercourse which means nothing? Do we come here to pay each other those idle compliments which conceal the real truth or do we come here to tell the Government honest truth in an honest manner? Sir, I prefer to tell the naked truth rather than conceal facts under the mask of polite verbiage. If the Government were to get their deserts, they should get not compliments or commendations but curses; not bouquets but bombs. The Home Department, Sir, as you once very rightly said, is the place or rather the breeding ground for anarchy. The real bomb factory is in the Home Department and not in Bengal.

Mr. President: Order, order. The Chair never said that.

Mr. Jamnadas M. Mehta: Not the Chair, Sir, but Mr. V. J. Patel did say that the Home Department was the real bomb factory. And that is perfectly true, Sir, and I really did congratulate you when you made that statement.

About the Military Department I have only one statement to make. People think that we can calculate the extent of our military burden by a reference to our revenues. Colonel Crawford suggested that we should add the provincial revenues. He is right and I have added that. But

that is not the proper criterion in judging of the real incidence of our military expenditure. India is not taxed like a normal country. It is taxed on the war basis. Therefore if you want to appraise our military expenditure right the central taxation should be reduced by 25 crores and the provincial by seven crores. It is only when you have this reduced taxation in the country to the level of a peace basis as in other countries that you can apply the criterion whether our military expenditure is 20 per cent. of the revenues. Judged in that light, the military expenditure is even heavier, more crushing, than it appears.

I do not want to say much about Sir Bhupendra Nath Mitra's department, but I do say that he should not think that, because he has given a few allowances or concessions to the postal peons, there is a reason for maintaining postal rates at a higher level. They ought to be reduced to the pre-war basis. I was also surprised to find a sort of unholy conspiracy on the part of some Members interested in labour who seemed to think that, because some concessions have been extended to the postmen and the peons, the higher postal rates should be allowed to be maintained. I cannot accept that. Taxation is very heavy; postmen are paid very low; taxation must be lowered; and the wages of postmen must be increased. One cannot be made to depend upon the other.

Then, Sir, there is the Department of Education, Health and Lands. As it does not figure very much in this House, I do not want to make many observations about it except to say that so long as the condition of Indians in foreign countries still causes the greatest anxiety to people here, I do not think even that department can be said to deserve our support for financing it.

Then, lastly, I come to the Political Department. I do not want to discuss the administration of any particular State, but I do say that so far as peace and contentment of the people of this country are concerned—and the one excuse for foreign domination was that peace has been brought in this country—even that can be said to have been taken away. Look at the communal riots, look at the loss of property, and look at the very fanatical outbursts every now and then. The number of Masjids that were attacked during the last five years has been larger than the number during the whole history of relations between the Hindus and the Muhammadans. More temples have been destroyed in the last five years than in the whole reign of Aurangzeb. And yet the Government talks of having established peace in this country!

Mr. K. Ahmed: Whose fault is that?

Mr. Jamnadas M. Mehta: Government's and nobody else's.

Then, Sir, as regards the Indian States. I do not wish to refer to any particular State but I want to draw the attention of my friend Sir Purshotamdas Thakurdas to the Virangam Custom Line once more. So far as that line is intended to prevent evasion of customs duties it is quite justified and he has my wholehearted and unqualified support. But let him not look merely at the money side of the question. Let him look also at its human side. We should pay more attention to the miseries of men who are being harassed. The other day my friend quoted the

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authority of Mr. Amritlal Seth and I want to quote the same authority. I will only read one sentence from Mr. Seth's paper *Saurashtra*.

"The outposts along the whole custom line have become responsible for the harassment of the residents of British villages for which there is no parallel, to which there is no end."

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): May I ask the Honourable Member to give me the date of the paper from which he has quoted?

Mr. Jamnadas M. Mehta: It is dated the 11th February 1928.

Sir Purshotamdas Thakurdas: Will the Honourable Member take it from me that I had another letter from the same gentleman subsequent to the one which the Honourable Member has just quoted in which he said that the matter has been set right?

The Honourable Sir Basil Blackett: I have also got a similar letter, and it is dated February 29, 1928.

Mr. Jamnadas M. Mehta: All that I can say is that private letters cannot be used to do duty for public statements. When Mr. Amritlal Seth will publish in his paper that what he complains of has been set right, I shall at once withdraw whatever I may have said.

Sir Purshotamdas Thakurdas: The report that my Honourable friend has quoted is not of the latest date. I am not challenging the accuracy of his report; it was correct on the date it was written. Since then however, the Government of India had inquiries made and I think if the Honourable Member will accept it from me when I say that Mr. Amritlal has written to me saying that his grievances have been removed, it will shorten the discussion.

Mr. Jamnadas M. Mehta: I say, Sir, that what has happened once may happen again. Therefore, the House must be very vigilant and it is a question which must be constantly before the Government so that the harassment at Viramgam and the whole frontier may not be resumed or continued. Next, Sir, what about the religious liberty in Indian States? 12 lakhs of Jains cannot go to Palitana. I am not going to refer to Palitana State and the Finance Member need not rise in his seat. But I ask him if the Muhammadans are prevented from going to Mecca, will not the Government of India interfere? Supposing our Muhammadan friends were prevented by any foreign or international trouble from going to Mecca on pilgrimage, will it not be the duty of the Finance Member and the Home Member of the Government of India to come forward and assert and vindicate the right of our Muhammadan countrymen to go on pilgrimage to Mecca? In the same way, it is the duty of the Government to secure access to Palitana for these 12 lakhs of Jains in British India to whom Palitana is what Jerusalem was to the Christians and Mecca is to the Mussalmans. It is the bounden and the sacred duty of the Government so to act that the right of the 12 lakhs of Jains residing in British India to go to Palitana will be restored. I hope that this at least is a thing for which Government will plead no necessity of a political character.

Sir, these are grounds on which I ask the House to throw out the Finance Bill. You cannot show me one department of the Government which deserves to be financed by the free vote of this House. Government has restored the six cuts which this House made deliberately. We cannot agree to heavy taxation arbitrarily levied and irresponsibly spent. The policy is this: Those who have much shall have more; those who have little shall have less. That is the result of the administration during the last five years. I say therefore that on grounds of liberty, peace, prosperity, public conscience, religious freedom, and on every other ground, this Government stands condemned before the people of this country and before the world and it does not deserve a single copper to finance its nefarious activities.

***Mr. T. Gavin-Jones** (United Provinces: European): Sir, when I came to this House on Saturday, I expected that the Finance Bill will be passed very quickly and that there will be very little said about it. But I have heard one Honourable Member after another getting up and making use of the occasion for airing every kind of grievance, political, communal and racial, and if the House will bear with me for a moment I would like to reply to the main issues brought up by these Honourable Members. Before doing so, however, I wish to say one word about the Finance Bill. First of all I wish to tender with others my tribute to the Honourable Sir Basil Blackett for the work that he has done during his service in India. He has worked with an energy and enthusiasm which have not been equalled by other Finance Members. He has given his best for India. He has done all that he can for India and India owes him a debt of gratitude. It sounds perhaps churlish to adversely criticise a surplus budget which has followed a succession of surplus budgets. But these surpluses are intimately bound up with the policy which is proposed to be introduced by the Honourable the Finance Member. We who are the toads under the harrow are feeling the effects of that policy and we must say that we are disappointed with the Budget. When I say "we" I mean the producers, not only the manufacturers but also the agriculturists, the millions of tenants who sell their crops. Since 1924, since prices were forced down by means of exchange being stabilised at as high a ratio as possible, prices have steadily fallen and trade now is very depressed. Every industry, with the exception of jute and tea, in which the circumstances are exceptional, is having a difficult time. We are endeavouring to adjust ourselves to the ratio, that has tended to lower prices. I do not say that the ratio is entirely responsible for the lower prices but it is gratifying and there is no doubt about it that the fixing of the ratio at a high rate has assisted the Government to give us a balanced budget surplus and we are disappointed that the surpluses are not higher. What we want to see is a reduction in taxation. What we want to see in the Railway Budgets is a reduction in freights. This is practically adjusting yourselves to the higher ratio. And I would commend to the Honourable Member who will follow the Honourable the Finance Member to do all he can to reduce costs, to reduce expenses in every way and to bring down freights and taxation in order to help us to meet our difficulties.

Now, Sir, to deal with some of those arguments that were brought up on Saturday last, the Honourable Pandit Malaviya gave us a long speech.

* Speech not corrected by the Honourable Member.

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the burden of which was the Army estimates. Now, Sir, it is perfectly legitimate to criticise the Army estimates. They are high and there may be waste and extravagance in the Army. There may be many means of reducing that expenditure. But what I complain about is that the criticism is not constructive. The Honourable Member complained that the Army was too big. Well, Sir, Defence is a matter which requires careful consideration. I am afraid that the Honourable Members sitting opposite, who are so very keen to have responsible Government, do not realise the first responsibility of the Government, and that is Defence. (*An Honourable Member*: "Hand it over to us.") They say we must reduce our Army. But they forget what we have got to defend. It is all very well to compare percentages of expenditure in this country with those in Great Britain and other countries. That is not the way to compare expenditure, because conditions are absolutely different in different countries. If you were to compare this country or Great Britain with the United States, the disparity would be enormous, because the United States are in the very fortunate geographical position of not having any likely enemies close to them. Their expenditure on Defence is very small indeed. I would like also to mention that the expenditure per head in India works out to something less than Rs. 2 per head and in England it is over £1 a head. Of course, I know that is no fair comparison but, as I say, these statistics cannot be compared in that way. You have got to consider what the Army has got to deal with. Now, to start off, India has a very large seaboard which has to be defended. That is defended by the Navy for which India pays nothing.

Lieut.-Colonel H. A. J. Gidney: £100,000.

Mr. T. Gavin-Jones: That is a mere flea-bite. Then you have the Army, which has to defend a long frontier with a war-like people living in many of the hills who look with envious eyes on the soft warm plains of India. We have got a large nation in the north in the shape of the Russians, of whom we can never say what they will do. It is a matter for experts what we should spend on our Army. The main point Pandit Malaviya brought forward was that the British Army should be reduced and reduced almost at once, as quickly as possible. He said: "We do not want the British Army." Now, when the Honourable Pandit talks like that he is talking nonsense. The British Army is essential for the unity of India.

Lala Lajpat Rai: It is essential for your prosperity.

Mr. T. Gavin-Jones: It is essential for the unity of India. Do the Honourable Members, Hindus sitting there, imagine that they could rule India without the British Army?

Mr. Jamnadas M. Mehta: Certainly.

Mr. T. Gavin-Jones: With the majority of the Army consisting of Muhammadans, Sikhs, Gurkhas?

Lala Lajpat Rai: They are all our countrymen.

Mr. T. Gavin-Jones: But they are minority communities.

Lala Lajpat Rai: India was ruled for thousands of years.

Mr. T. Gavin-Jones: Honourable Members know perfectly well that the British Army is essential to India.

Mr. Jamnadas M. Mehta: Not a bit.

Lala Lajpat Rai: For you it is.

Mr. T. Gavin-Jones: Anyhow, Great Britain has her responsibilities

Lala Lajpat Rai: Yes, say that. There you are right.

Mr. T. Gavin-Jones: Great Britain has her responsibilities to the minority communities.

Mr. T. C. Goswami: For starting communal trouble.

Mr. T. Gavin-Jones: She has to protect the minorities to ensure the stability of her Government. To talk about removing the British Army is sheer nonsense. There may come a time when the British Army can be reduced but it will not be in our life-time; we know it is not practical politics and it is no use talking about it. Another thing which the Honourable Pandit Malaviya said was that the internal security troops were too many. This may be so, but that is a matter for experts to judge. I do not think the Honourable Pandit is a good judge of that matter. I know this. I have seen two communal riots in this country, one in Calcutta and another in Cawnpore and I know that both Muhammadans and Hindus were only too glad to see British troops in the streets to assist them. I can assure you that if there is one duty, as Colonel Crawford has already assured you, that they dislike, it is this duty of looking after the civil population.

Now, Sir, to deal with my friend Pandit Motilal Neliru. The burden of his speech was, "We are powerless; we may put forward anything, but we get nothing. This constitution is a farce. What we do in this House is a farce. Therefore we oppose everything. We obstruct everything." Now, Sir, I quite agree with the Honourable Pandit that it is a farce. (*Members on the Congress Benches:* "Hear, hear.") Yes, but who made it a farce?

An Honourable Member: The constitution.

Mr. T. Gavin-Jones: The Honourable Members sitting opposite.

Lala Lajpat Rai: Not a bit. It is the constitution which gives you power.

Mr. T. Gavin-Jones: Very well; then say the constitution. But who created the constitution?

An Honourable Member: The British Parliament.

Mr. T. Gavin-Jones: The British Parliament at the instigation of the late Mr. Montagu. Well, the late Mr. Montagu brought forward the reforms scheme, thinking no doubt it was a very good thing for India. But he did not know India.

Sir Purshotamdas Thakurdas: Din't he?

Mr. T. Gavin-Jones: He brought it forward and had it introduced, and Honourable Members sitting over there seem to think that he is a sort

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of hero and that he is a great benefactor to this country. And yet they proceed to 'ry and wreck his reforms.

Lala Lajpat Rai: It is already a wreck.

Mr. T. Gavin-Jones: And you have wrecked it.

Mr. Jamnadas M. Mehta: It deserves to be wrecked.

Mr. T. Gavin-Jones: Sir, my Honourable friend Mr. Moore, sitting behind me here, who has a genuine desire to see India progress politically, made a very earnest appeal to the Honourable the Leader of the Swarajists not to show how irresponsible this House can be, and not to wreck the reforms scheme entirely. Sir, I will not appeal to the Swarajists. They are hopeless. (Laughter). (*An Honourable Member:* "They are too many for you.") They are past redemption. But, Sir, I will appeal to the Honourable Members sitting on my right, the Independents and the Responsivists, to my friend Sir Purshotamdas Thakurdas (*An Honourable Member:* "They are also hopeless") and Mr. Jayakar, men for whose intellect I have the greatest respect. I was extremely sorry to see them going into the lobby with the Swarajists over the Statutory Commission

Sir Purshotamdas Thakurdas: We will do it every time.

Mr. T. Gavin-Jones: I am sorry to hear it, but that cannot be helped. But I hope

Sir Purshotamdas Thakurdas: You cannot persuade us by your pious wishes.

Mr. T. Gavin-Jones: that in this case there is no reason for the Independents to be tied to the chariot wheels of the Swarajists . . .

Sir Purshotamdas Thakurdas: You look after yourself, we will look after ourselves.

Mr. T. Gavin-Jones: . . . and that in this case they will show they are not going to brand this House as irresponsible by voting for the Finance Bill.

Lala Lajpat Rai: Sir, I rise to make a few observations on the Finance Bill with great reluctance, because the feeling that has been oppressing me for the last few days is, "What is the use?" An Honourable Member on the other side one day remarked that we were ploughing the sands. He was perfectly right. The Government has proved that all that we have been doing on this side of the House was nothing better than ploughing the sands. But I want to ask the other side what they have been doing? The Members of the Government have been, I say—and I say it with a profound sense of responsibility—showing an attitude which can only result in disaster. I give them a timely warning, Sir, that the conditions in the country are becoming rather very very serious. It is no question of laughter. It is no question of cutting jokes on either side of the House. It is a very serious condition that is developing in the country, and I submit that Government are not doing enough to avert the disaster which will inevitably come if the condition of things continues developing in the way it is developing 19

days ago—the Honourable the Finance Member introduced his Budget and made his speech explaining the same; Sir, for 2 days less than 19 days we have been discussing this Budget and the Finance Bill. We have heard many speeches on both sides, sometimes angry, sometimes conciliatory. Retorts and repartees have been freely exchanged. But the one thing which I would ask the Honourable Members on the Government side to answer is, "What have they done for the people of this country? What do they intend to do for the people of this country?" My Honourable friend the Home Member one day remarked that in connection with the Statutory Commission issue there was a fourth party in India besides the Government, the Opposition and the Statutory Commission itself that was interested in its labours. That was the only remark which fell from the Government Benches about the people of this country. That was the only regard which they showed for the people of this country. I wish to ask the Honourable the Home Member, "Who represents the people of this country? Does he represent them?"

Lieut.-Colonel H. A. J. Gidney: Do you?

Lala Lajpat Rai: No; Colonel Gidney does. We do not represent them.

Lieut.-Colonel H. A. J. Gidney: Whom do you represent?

Lala Lajpat Rai: We have come here by the elected votes of at least hundreds of thousands of people, we do not represent the people. Very well. I again ask the question "Who represents the people of India in this House? Does the Honourable the Home Member represent them?" If he does represent them, will he point out to me one sentence in all his speeches here in which he showed any concern for the people of this country? Does the Honourable the Finance Member represent them? I listened to his speeches with great attention. I have listened to Budget speeches in other Parliaments in other countries. This House of course is not a Parliament. But in other places where the Chancellor of the Exchequer every year gives an account of his stewardship, there is not one speech made in which the Chancellor of the Exchequer or other responsible Ministers of the Government do not talk of the economic condition of the masses of the country. They deal with every possible question which affects the masses, their food, their health, their housing, their employment. But during all these talks here in this House not one sentence was uttered either by the Honourable the Finance Member or by anybody else as to how the people of the country were faring, what was the progress made in improving their economic condition, what was the condition of their food, what was the condition of their clothing, what was the condition of their housing and how they were going to solve the problem of employment. One solitary remark was made by the Finance Member in which he said that the returns of railway revenue were a sign of the prosperity of the people of this country. That was all, Sir. I say, the Railways may be prosperous but the people might be starving. There is a strong consensus of opinion amongst all competent observers whether official or non-official—of course officials are of two classes, (1) those who have some honesty of purpose left in them and (2) those who just carry on the red tape work and support their Government—that the people of this country are awfully poor. A number of competent non-official observers, Indian and European, have left it on record that the vast bulk of the

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people of this country do not get sufficient food. The late Lord Sinha put their number at 100 millions. Was there a word of sympathy uttered in this House, Sir, by any Minister of the Government or by any Member of the European Benches for these starving millions? Not a word.

Lieut.-Colonel H. A. J. Gidney: Oh, yes.

Lala Lajpat Rai: Figures will tell you that the population of the country is increasing, the production of food-stuffs is increasing but the people starve. The production of food has increased, yet the quantity available for consumption per man has decreased. Just for the purpose of illustration I will refer to the statements of two gentlemen. One is that of Dr. Harold Mann, who was the Director of Agriculture in the Bombay Presidency and who recently retired from his office. When he was retiring from his office he gave an interview to the *Times of India*, in the course of which he said that the greatest problem for the bulk of the agriculturists of the Bombay Presidency was how to fill their empty bellies. He said, "You cannot improve the quality of agriculture, you cannot do anything in villages unless you fill the empty bellies of agriculturists first". In fact, that was the headline under which his interview was published. There is another evidence which has been very laboriously collected by one Mr. Lupton, an Englishman, in a book called "Happy India", in which he also proves that the bulk of the agriculturists in this country do not get sufficient food. It is very easy to make calculations. Take the total production of food, deduct the exports from it and divide the rest by the number of people in this country, and you will find that the quantity available for consumption to the people is growing less and less every day. From food you come to clothing. That is another test of the financial prosperity of the country, not the income of Railways, nor the armies, nor the navies. The easiest, the best and the most effective test of the financial prosperity of a country is to look at the life of its people, how they are fed, how they are clothed, how they live and how much they are educated. These are the four fundamental tests by which you can judge the prosperity of a country. That is the rock bottom test of the moral and material progress of a Nation. The Honourable Members on the other side leave that task to be done by the skilful pen of Mr. Coatsman, or still better, by the skilful pen of Miss Mayo. They do not think it their duty to refer to these things in this House. These are mere commonplaces for them. I have already said something about how the people of this country are fed. Now let us come to clothing. The schedule given in the Tariff Board's Report will tell you that the number of yards available to the people of this country for clothing is also steadily falling. Come to the housing problem. That never enters the brains of any Honourable Member on the other side. That is not their problem because they are not affected by it. But look at the millions of mud hovels, wretched thatched hovels, in which the people of this country live from one year's end to another year's end and drag on their miserable lives in disease, dirt and distress. Yet the Government has never shown the slightest possible anxiety for providing them with decent, sanitary houses nor does the European group ever think of that. From these three things let me come to education. Has the Education Member told us anything which would encourage us or make us hopeful that the people of this country would ever become literate and, if so, when and how? No one talked about it; the Government does not care; there is no need to say

anything about it. The matter is self-evident! A word, Sir, about the proposal that I made the other day about sanctioning a crore of rupees for the education of the depressed classes for whom so much political anxiety is being shown. We were lectured that day that education had been transferred to the Provincial Governments. But what does that mean? Do the Government of India maintain that they have entirely discarded their responsibility for the education of the people of this country? Well, Sir, we have not got a full-fledged federal system in this country, but even in countries where there is a federal system, where the States occupy an autonomous position, the federal Government never feels itself relieved of the responsibility of furthering the education of the people of the country as a whole. Look at the figures in the United States of America. Every State in the United States spends 39 per cent. of its revenue on education; every City Government spends the same amount; and yet the federal Government takes keen interest in furthering the cause of education in various ways. For a large number of years the Federal Government has been giving away more than a million dollars from Federal revenues in furtherance of the cause of vocational education. They have been doing so for years now. Have they ever pleaded that the States were autonomous, that the Devolution Rules prevented them from doing anything in the matter or that education in the States was no longer their concern or their duty? You talk of the people! Do not the depressed classes come within the definition of the word "people"? What has the Government of India done for these depressed classes or for their education? We have been told from time to time that my friend, Mr. Rajah, represents the depressed classes in this House. How many proposals of his for making grants for the education of the depressed classes have been sanctioned? The Member for Education has not told us at all what the Government have done for the education of the people. Then, there is the question of unemployment. I may tell you that there is one thing by which we feel very much oppressed. When we come to the Assembly, every time thousands of young boys, who have spent the last pie of their parents' income and property on the education which they have received, come to us and ask us, "What shall we do? How shall we live?" In the words of Miss Mayo, they say, "Give us office, or give us death". Yes, that is literally true because this Government has not made them fit for anything else. The Government does not feel any responsibility for them. Unemployment is no concern of the Government of India. How can they feed hungry mouths? How can they find employment for all? Yet the greatest modern Government in the world, the Government of Great Britain, even now feels itself responsible for providing food and clothing and shelter to over a million people every day of the week. They have been doing it for years and years. But the Government of India does not feel itself at all responsible for providing employment to the people or to look after their food, clothing, or housing. In the United Kingdom there is a Ministry of Housing and they have built lakhs of houses there with Government help for the purpose of providing proper sanitary houses. What has the Government of India done to remove unemployment or to provide good houses? Hundreds and thousands of boys come to us and they ask us to do something for them in the Assembly. We go back after three months and say, "We have made many speeches but we have not been able to do anything else for you". What can we do? We cannot do anything, we are absolutely helpless. My Honourable friend here mentioned

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traders who have become absolutely bankrupt under the present financial policy, who have gone to the insolvency courts. There are millions of people who do not have two meals a day. Every chittack of their produce is taxed. There is not even a small particle of their food which is untaxed.

What reply are we to give these men every time we go back from the Assembly? All we can say is, "We cannot help you, we are helpless". I want to point out to the Government Benches that this helplessness, this resourcelessness, this lack of power on the part of the representatives of the people, is a great danger for them as well as for us. It is a live danger, Sir. The Honourable Members are sowing the seeds of Bolshevism. I am not particularly enamoured of Bolshevism, nor am I particularly afraid of it, but I tell you honestly with the best of motives, in all seriousness, and in all humility, that if you go on like this for a number of years, not even the height of the Himalayas can prevent the entry of Bolshevism into the plains of India. Nothing will prevent it. You are producing the very conditions, the very circumstances, the very atmosphere which breeds Bolshevism, and if it comes, as come it must, the responsibility will be entirely yours. We are giving warnings to you from time to time on the floor of this House. We are doing a very unpleasant duty. Sometimes we use invective. (*An Honourable Member*: "It is fully deserved."), but it is out of anger which comes out of despair. You on your side—what did you do during all these debates? I have been scanning the faces of the Honourable Members on the opposite Benches, their non-chalant air. They seem to be saying: "Do you want to throw out the Demands? We know what to do. We are secure in our power, we are absolutely safe in our posts and you cannot touch us". Almost two-thirds of the Budget is non-voted and the other one-third is votable. When we come and discuss and criticise the policy of the Government in the different departments and when we throw out certain items, the next day you come with a smiling face, practically mocking us, ridiculing us and laughing at us, to say that all these cuts have been restored by the Governor General in Council. We knew it beforehand. We were quite ready for it, not that we did not know it. But all the same, remember that all that you are doing is being debited to your account and that account is growing and some day you will have to repay it. It is a very serious situation and I respectfully beg of you to consider it. We have been talking of the Army. You have told us it is necessary for the defence of India—it is necessary certainly for the defence of the interests which my Honourable friend, Mr. Gavin-Jones, represents, absolutely necessary from the British point of view, but not from the point of view of the people of this country. What have our people to defend? Have they to defend their "empty bellies"? Have they to defend their nakedness? Have they to defend their illiteracy? Have they to defend their mud hovels? What have they to defend? What need they defend? A few vested interests in the country have property to be defended. But what of the generality of the people? Who is taking care of the interests of the bulk of the population who pay for the maintenance of this Army?

Sir, I want to warn the Government in all seriousness that the situation is developing rapidly and seriously. It was time that we did something to prevent this economic helplessness and the destitution which prevails

in the country. You may deny any political progress to us. You may abolish this House but if you really care for the security of your Government do something in time to remove this economic helplessness.

The Honourable the Finance Member has been telling us on the floor of this House as well as outside this House that he and many of his friends have been trying to build parliamentary institutions in this country, but that we are determined to commit political suicide. Is there any Parliament in the world which is so situated as this Assembly? I know of one Legislature that of the Phillipine Islands, in the constitution of which there is a provision that if supplies are refused the Governor General can take supplies on the scale of the previous year. The Phillipine Islands cannot be compared with India. India is a very big country and its revenues come to a huge figure. Leaving aside the Phillipine Islands, will my Honourable friend point out to me one parliament in the world worth the name, which is so absolutely helpless as we are here? Why then talk of it as a Parliament. You can abolish it if you think it is mischievous, as my Honourable friend Sir Victor Sassoon said that we on these Benches had made the Government callous. The Government did not care for any criticism. They did not even take the trouble to reply to criticisms made in this House by the Honourable Sir Victor Sassoon. He distributed his bouquets of satire rather evenly and impartially, but the fact remains that the Honourable Members of the Government of India are entirely impervious and indifferent to criticism of any kind. They scoff at us, laugh at us and treat us with contempt. Perhaps they know that we deserve it because we are absolutely helpless. Sir, we may be perfectly unfit for the discharge of the duties for which we have come here. We may be anything which my friends may like to call us, but we are absolutely sincere in our love of our country and we maintain that no one on the opposite Benches can love this country better than we do. Who is going to teach us our duties? Are they going to teach us by scoffing at us, by restoring all the cuts by one stroke of the pen? Sir, give up this game. Abolish this House if you want and go back to your previous absolutism if you will. Even then you will not improve the situation unless you probe deeply into the economic problem which is the real problem of this country. It will not be solved by exchanges, it will not be solved by armies and navies, it will not be solved by the figures of trade in which these millionaires may be interested. It will be solved by doing something for the benefit of the people of this country, so as to enable them to get more food to eat, more cloth to wear, better houses to live in, to be better educated and to enjoy all those comforts which people in other countries enjoy. Sir, the Honourable the Home Member has been very kind to inform me that he has issued orders that I should not be under police surveillance any further. I am very thankful to him and I thank him on the floor of this House. But that does not affect me in the least. I have been a political suspect all my life and will not mind if I have to continue to be such till the end of my days. On no account however will I falter in the performance of my duty to my country fearlessly. Sir, the Members of the Government say they want to see constitutional progress in this country. Will anybody kindly tell me what is constitutional progress? You give us a certain franchise. We say it is very little and ask you to give us more, to enfranchise a larger number of people. You say, "We shall not give them the franchise. They are not fit for it". At the same time you go on taunting us that we represent nobody or only an infinitesimal fraction of the people of this

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country. Whose fault is it? On one hand you blame us for neglecting parliamentary institutions and on the other you refuse stubbornly to do anything to make it a real living Parliament representing the interests of the country. These debates will be forgotten in a day or two after the House is dissolved but the disease is there, the germ is there, the sore is open. That sore is widening every day. The country is getting more and more discontented and unhappy. The people are not interested in the least in the Simon Commission. The Commission is already showing its teeth. In Ferozepur members of the Statutory Commission applauded a loyal Sikh who had won a municipal election against an Akali. Is that the kind of impartiality they are going to show? The members of the Statutory Commission are going about saying "What a wonderful reception". At Lahore thirty thousand men greeted the Commission with black flags but the Commission thought it was a wonderful reception they received. The same thing happened at Gujranwala, at Lyallpur, at Gurdaspur and at Amritsar. Yet the Commissioners are reported to have been very much gratified by the wonderful official receptions they were accorded at these places. If this is the capacity of observation of the Statutory Commissioners, I think India is perfectly justified in placing no confidence in them. Cannot they see that it is a stage-managed thing? Cannot they see that most of those who come to receive them are flunkies who are anxious to get jobs or favours? Still they go on saying, "Oh! what a wonderful reception". Sir, this stage play is going to react very damagingly both on the Government and on us also.

The Honourable Sir Basil Blackett: What about the Punjab Council?

Lala Lajpat Rai: Yes. I am glad that the Honourable Member has reminded me of that. I will tell him what is the situation in the Punjab Council. You have so cleverly manœuvred things there that with 50 Muhammadans and 50 Hindus and Sikhs balanced together, the real power lies in the hands of the Government block. My friend Mr. Shah Nawaz comes here and praises the Finance Member. What does he know of commerce, of trade figures and of the conditions of the people? Has he ever taken part in any debate here in which these matters were discussed? All that he has done is to flatter the Government Members and to say that we are obstructionists. I tell him that it requires ability to be an obstructionist. It requires sense to be a successful obstructionist.

Mian Mahommad Shah Nawaz: Stop this fooling, Lala Lajpat Rai.

Lala Lajpat Rai: It is you, Sir, who are fooling the country. It is Shah Nawaz, led by his father-in-law, Sir Muhammad Shafi, who has fooled the whole of the Punjab. Whom does he represent here?

Mian Mahommad Shah Nawaz: Whom do you represent?

Lala Lajpat Rai: I represent nobody, if you please. You say you represent the country and the agriculturists and yet you come here and flatter the officials, without saying a word about the condition of the people. Is that true representation of the country? We know we are ploughing the sands, as my Honourable friend said the other day, but our ploughing the sands may prove fruitful some day. At any rate it is harmless; but the seeds which the Government is sowing are sure to bring forth a bitter harvest. You want to keep us in a state of perpetual bondage, If that satisfies you we are quite content. Sir, I beg to ask

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my learned friend who talked of the Punjab Council why did he not talk of the United Provinces Council? Why did the Honourable Member not talk of the Madras Council? Why does the Honourable Member not refer to the Nagpur Council? (Applause.) And talking of Councils, why did the Statutory Commission want this House to appoint a Committee? Why not ignore this House? Why come before this House and ask us to give you so much money for its expenses? Why not go with your demand to the Punjab Council and let the Punjab Council give you the money to defray the expenses of the Statutory Commission? You may be proud of the Punjab Council, and I am also proud of it in a way because that is the one place where you can find any shelter. (Laughter and Applause.) But I say the hen will come home to roost some day. You say that the Akalis with black flags are seditionists. Of course they are seditionists. Have you left them any chance to be anything else? They do not count. There are Khilafatists and Congressmen, they do not count for anything. It is only men of the stamp of my friend Mr. Shah Nawaz who count. We do not count at all.

(At this stage several Honourable Members applauded and cheered, and Mr. Shah Nawaz who interrupted was inaudible.)

Mian Mohammad Shah Nawaz: Do not tell untruths.

Lala Lajpat Rai: They are not untruths. These facts are every day reported by the Government subsidised agency of the Associated Press.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I repudiate that charge.

Lala Lajpat Rai: What charge?

Mr. K. C. Roy: That it is subsidised. We do not get a single rupee by way of a subsidy.

Mr. J. Coatman (Director of Public Information): Perhaps the Honourable Member will give some proof. He makes the assertion; let him prove it.

Lala Lajpat Rai: Prove what?

Mr. J. Coatman: That the Associated Press is subsidised.

Lala Lajpat Rai: I stick to the statement that the Associated Press is a subsidised agency.

Mr. J. Coatman: Give your proof.

Lala Lajpat Rai: The Associated Press would not be where it is but for the patronage of Government, and that is a form of subsidy. My Honourable friend should go and look up the word "subsidy" in a dictionary.

Mr. J. Coatman: You go and learn the word "proof".

Lala Lajpat Rai: I never used the word proof. Subsidies are given in many ways. There is not one kind of subsidy.

Mr. K. C. Roy: I shall ask Lala Lajpat Rai to move a motion for a Committee on the subject and I shall place every fact before every Member of the House and ask them for a judgment. (Cheers.) I shall never be a party to any subsidised agency.

Lala Lajpat Rai: There is no question of your being a party, Mr. K. C. Roy. You need not get angry.

Mr. President: Will the Honourable Member address the Chair.

Lala Lajpat Rai: Sir, I was saying there were various ways of subsidising. I do not know why Mr. Roy has become so very angry. We have been calling it a subsidised agency again and again. Tomorrow perhaps the Public Information Bureau will say that it is not a Government Department. There are ways and ways of giving subsidies. As for my friend's suggestion of making a motion—when can we carry a motion in this House, and who cares for it even if it is carried?

Mr. K. C. Roy: I shall care for it.

Lala Lajpat Rai: The usefulness of it depends on many things, the members whom Government appoints to the Committee, and altogether there are too many "ifs" and "buts". Really there is no use in doing anything through this House.

Before I sit down, Sir, I wish once more to warn the Government Benches that the situation is becoming very very serious; and in all honesty and in all humility I beg the Government to go into the matter of the economic distress of this country. The country will not be saved by the blue books issued by the Public Information Bureau; it will not be saved by speeches in this House. If the Government wants to do anything for the people of this country, let it frankly and openly improve the economic condition of the people of this country.

Sir Purshotamdas Thakurdas: Before I say a few words on some of the general aspects of the Government of India administration which have not yet been touched upon in the course of the budget debate I would like to reply to a point raised by the Honourable Member from the Punjab, Mr. Abdul Aziz, regarding the so-called bonus, or deferred interest payable on post office certificates. The Honourable Member referred me, Sir, to Mr. Cocke's question on the 23rd February, 1925. I have not only looked at it but have studied it very carefully and I hold a copy of the question and answer here. There is nothing said there which gives any indication that Government were not making provision for the liability as it fell due from year to year, and that was my complaint. My complaint was not that the House did not know that the Government were raising money on post office certificates. My complaint was, and the complaint of several others similarly was, that the Government had kept a substantial sum uncovered of the liabilities which they were incurring from year to year in regard to interest due on post office certificates. I submit, Sir, that it is a very serious oversight, and I will show how that oversight may land the Government of India, and the Honourable the Finance Member's successor, in a very serious scrape. The face value of the post office certificates outstanding on 31st March, 1928, is roughly given at 40 crores. The amount the Government have received, if I remember correctly, was given at about 31 crores repayable in five years. The interest on this therefore amounts roughly to 9 to 10 crores. Now, Sir, correct accounting requires that the Government should make provision every year for the amount of interest that it would have to pay on these certificates should the post office certificates be tendered for payment. It would be difficult enough, in a crisis, for the Government to find the capital part of the money; but that is a risk which we know they take when they borrow on short term paper. But for any Member to try and defend the uncovered liability that the Government of India incur from year to year for interest payable—well,

that, Sir, can only be done by a nominated Member from the Punjab and by nobody else.

My friend Mr. Kikabhai Premchand, who I know is absent to-day owing to unavoidable reasons, said in the course of his speech that the unproductive debt of India had been "wiped out"—those are the words as he read them—to the extent of 81 crores. I am sure that when Mr. Kikabhai thinks over the words he has used, he, at any rate, financier as he is, will never stand by them. The unproductive debt, Sir, has not been wiped out to the extent of 81 crores. As I said on the general discussion of the Budget, if anything like 81 crores of the unproductive debt had been wiped out I would be the first to congratulate India and the Government of India. I admit that the unproductive debt has been reduced to the extent of 14 crores, the surplus in the last four years, and to the extent of 23 crores, the amount which we set aside for the reduction of debt, making 37 crores in all. We admit that. The rest, namely, the railway reserve and depreciation fund and cash balance reduction of 24 crores, those two items, Sir, cannot possibly be taken against the reduction of debt. At best one can claim that the Honourable the Finance Member has succeeded in presenting this in a new and original manner and nothing beyond that. Mr. Kikabhai said or rather talked of cheap money. I really wonder, Sir, if Mr. Kikabhai had consulted only his clients, the banks, the European firms, the Rajas and the clients with first class credit when he talked of cheap money; or whether he had consulted also his humbler clients, the Indian merchant, the Indian shroff and the Indian shopkeeper. If Mr. Kikabhai on his return to Bombay will consult the latter class, who, I submit, should really count for the purpose of assessing the cheapness or dearness of money, I am sure he will hear from this class, the class which matters to us here, that money has not only been dear for them but has been very scarce and at times even unavailable. Only one instance will I give, and I will give that instance from one of the latest moves of the Government of India. Very recently the Government of India has been borrowing on Treasury Bills for six months covering the slackest period in the money market of India, and at what rates? 5 per cent. Look at any of the years before the war, and during the monsoon period, the bank rate went down to 3 per cent., and in fact money was going a-begging at 2 per cent. and even less. When, therefore, the Government of India borrow over the monsoon period, the slack six months period, at 5 per cent. per annum, all the talk of cheap money appears to me to be nothing else but cheap praise. I therefore feel that in those directions at least Mr. Kikabhai's speech was very inaccurate and cannot be endorsed by any section of the commercial community if they will take cognizance of the facts as they are.

My friend, Mr. Jamnadas Mehta, Sir, warned me again about my support to the Viramgam cordon. I again am prepared, Sir, to take my fullest responsibility, humble as it is, in having that cordon set up; and I repeat that whilst I rank next to none in my anxiety that passengers travelling on the Kathiawar border-line should not suffer, and I say that I am convinced that the same is the anxiety of the Central Board of Revenue and of the Finance Department, I repeat that no rumours or superficial complaints of the nature that we hear should lead the Assembly or the Government of India from the correct course which they have been forced into. I feel that we cannot afford to lose revenue from our customs of a crore or two crores, in fact there is no knowing whether it will not go to ten

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crores if this source of leakage is left open. I say that it is due to the tax-payer of India that that cordon should only be lifted if we can come to proper arrangements with the Indian States. Anybody who presses for the removal of the cordon earlier, I say in all humility, is neglecting the interests of the tax-payer of British India. But whilst I am so insistent upon these Indian States coming to proper arrangements with British India, I am convinced that the Government of India in the Finance Department will give every consideration to any complaint which may be put up. I warned the House last time against artificial efforts being made to have spurious agitation set up. That of course should not influence either Mr. Mehta or anybody else.

Mr. Jamnadas M. Mehta: What about the genuine ones?

Sir Purshotamdas Thakurdas: I say the Government are attending to them; I have no doubt about it. There is just one more point and here I am very pleased, Sir, that I wholeheartedly agree with Mr. Jamnadas Mehta. The decision of the Government of India or rather the policy adopted by the Government of India in the case which has resulted in 20 lakhs of peaceful Jains being prevented from paying their homage to the one place which they consider will get them access to Heaven is, Sir, a step which I am surprised the Government of India have tolerated till this year of grace 1928. Perfect freedom for everybody to follow his religion, Sir, should be secured and not prevented by artificial handicaps or legal technicalities. Surely, Sir, statesmanship in the Political Department of the Government of India is still at a sufficiently high level to get a satisfactory solution of this problem, and all that I will say is that as long as that is not reached the Jain community will stand by what they consider to be their rights and they at least will not yield. It is most desirable that their loyalty and law-abiding nature should not be put to any further test.

My friend, Mr. Gavin-Jones, Sir, chose to speak of the late lamented Mr. Edwin Montagu in a spirit and tone which I absolutely deplore. It is possible that Mr. Gavin-Jones and I differ about India's debt of gratitude to Mr. Montagu. But I will say this that if Mr. Gavin-Jones wishes to attack Mr. Montagu on the floor of the House, he will find that, whether it is a co-operator or a non-co-operator, in the year 1928 everybody is agreed that Mr. Montagu was the one Englishman who had exceptional foresight and statesmanship in Indian questions. If his reforms have not succeeded, it is because they have not been carried out in the spirit in which they were meant to be carried out. (Hear, hear.) There is no doubt about it. The civil services and the European commercial community in India did not, as we know, like the reforms, and we did not expect any consent or agreement from them about it. Their vested interests were, then, to that extent shaken. But to get up in the Legislative Assembly of India and try to run down Mr. Edwin Montagu is for Mr. Gavin-Jones like calling for very severe condemnation of his attitude.

Mr. T. Gavin-Jones: Sir, I did not run down Mr. Montagu.

Sir Purshotamdas Thakurdas: I am very glad.

Mr. T. Gavin-Jones: What I said was that the Swarajists had ruined the reforms scheme of Mr. Montagu.

Sir Purshotamdas Thakurdas: The Swarajists have not ruined the reforms scheme half as much as you on that side have ruined it by not carrying out the reforms scheme in the spirit in which it should have been. I make that deliberate statement here. I know that Sir Walter Willson may not like it.

Sir Walter Willson: Who will believe it?

Sir Purshotamdas Thakurdas: Now, Sir, my friend, Mr. Gavin-Jones, whose advice I always cherish and try to follow, tried to warn me not to be tied to the chariot wheels of my Swarajist friends. Sir, I do not like to be tied to the chariot-wheels of anyone, and I think Mr. Gavin-Jones gratuitously assumed that anyone of us on this side were tied to the chariot wheels of any party. If, however, there appears at times that infection, it comes from that Bench. They are tied to the chariot-wheels of Government. (*Cries of "No," "no" from the European Group.*) Yes, and that is the greatest weakness of this House, that the European commercial community, the non-official European Benches, are tied inseparably to the chariot-wheels of the Government. If you warn me as a friend not to be tied to the chariot-wheels of the Swarajists, I will take your advice in the best of spirit. Will you also take my advice in a similar spirit and remember that if you want us to work with you

Mr. T. Gavin-Jones: I was with you on the question of the ratio.

Sir Purshotamdas Thakurdas: Will you join us on the political questions also? We have finished with the ratio; we are glad of the assistance you gave us. Now, Sir, as I say, if you advise, and if you expect me to follow your advice

Mr. President: The Honourable Member must address the Chair.

Sir Purshotamdas Thakurdas: I will, Sir. There is just one more point, and that is that it is not that anyone of us wish to see or even like to see the Members in our Party dwindle down. We all like, and we are all working for it, that more Swarajists would come and sit here with us. I am sure Lala Lajpat Rai and Mr. Jayakar would like that, and I am sure that Pandit Motilal Nehru would take it in a sportsmanlike spirit. The question is, is not the policy which you on the Treasury Benches and which you on the non-official European Benches follow, is not that policy one which makes it impossible for us to ask anybody to come over to our Benches? You are even driving us to the Swarajist Benches. The whole policy is one of driving everybody to desperation, to add to the ranks of Pandit Motilal Nehru and Mr. Srinivasa Iyengar. (*Applause.*) What is the good of appealing to our common sense and our judgment? What is the good of talking of our culture and of our various other qualities which you may like. Will you look at the policy which you are following? Do you think over it? Will you persuade the Government Benches over which you are supposed to have some influence? If necessary, will you persuade your head offices in London and warn them that they are driving the Liberal, the Moderate, the Independent, the Nationalist and the Responsivist into the camp of the Swarajists and the Congress? I am afraid you will, if you persist, drive many of us into the camp of the Bolsheviks and even of the anarchists. Beware, if you wish

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to rise to the occasion, of the policy which you are advocating to-day, the reconciliation which you want . . .

Mr. President: Order, order. The Honourable Member is not addressing the Chair.

Sir Purshotamdas Thakurdas: I am sorry, Sir. Why I did not address you was because you may say that you did nothing of the sort. However, I will not make the mistake, Sir, if the Chair will only take my remarks in the correct way. Now, Sir . . .

(At this stage some Honourable Member tried to prompt.)

Don't prompt me. I think I can recall myself. I therefore, Sir, wish to warn my friend Mr. Gavin-Jones, whose sincerity I fully respect, that if he is as much in earnest as we are on this side and if he wants additions to the ranks of my friend Mr. Jayakar and my esteemed friend Mr. Jinnah, let him persuade the European Association, the European commercial bodies and the Government Benches, and, if necessary, Whitehall, to change the policy, the latest proof of which has resulted in this that we all thought it our duty to close up and tell you that, whether Swarajist or no Swarajist we detest the composition of the Simon Commission equally and as well.

Sir, so much for the remarks which have fallen in the course of the speeches to-day. I now wish to take a very few minutes regarding a few points which I wish to touch upon. In paragraph 29 of his budget speech, the Honourable the Finance Member indicated good reason for regarding the present figure of 15 per cent. revenue tariff as unduly high. Sir, the Committee of my Chamber has expressed the following opinion regarding this indication:

"They do not agree with paragraph 29 which states that the revenue tariff wants revision, but they would favour a close examination of the entire schedule of customs with a view to remove anomalies which bear heavily on the industries of the country and with a view to the establishment of duties on a scientific basis."

This message has been conveyed to the Finance Member but I felt that I should to-day refer to it on the floor of the House. Now, I feel, Sir, that any question of reduction of the revenue duties is a very remote one. The 12½ per cent. bounty practically which Government gave to imports by putting the higher ratio on the Statute-book last year has already done enough harm to the industries to permit of a further blow by reducing the import duties. Whether they are revenue duties or not, there should be no reduction in import duties except after a full and exhaustive enquiry which may help us to put these duties on something like a scientific basis. I do hope that the Government of India will not make any further effort at encouraging imports from outside into India.

Sir, many have been the references in this House to nation-building departments of Provincial Governments. May I refer, Sir, to one direction in which the Central Government has till now failed to assist Provincial Governments in their most important nation-building department and where, I hope, the Central Government will now at least make a move. I refer, Sir, to the liquor excise revenue of the provinces. Practically every province that I know of has had their Ministers go into the question of decrease in their liquor consumption and corresponding decrease also in their liquor excise duty. But wherever this has been elaborately gone into and reported upon, the complaint has been that if the Provincial Government controlled the consumption of country liquor either by giving out less or by

making it more costly, they found that the imported wines and liquor were increasing in consumption. Now, Sir, this is a direction in which, I am sure, the Central Government owe a duty to the provinces and they should help them. I am not aware whether at the various Finance Members' conferences which have been held during the Honourable Sir Basil Blackett's term of office this question was ever brought up by any Finance Member from the Provinces. But even though it may not be so brought up, Sir, I am sure the Government of India do not overlook that this excise department is a transferred subject. The responsibility is of the Minister to the Council and not of the Finance Member; and I suggest that just as you have a conference of Finance Members every year you must have a conference of Ministers here with a view to devise a sound, sane and far-sighted policy regarding assistance to provinces in their goal of prohibition. Whether total prohibition is feasible or not, I am convinced that India must now stop either importing or selling any larger quantity of liquor than is done to-day. I know that various provinces find the problem difficult on the score of their budgets not being balanced. I have said before and I repeat that it is a disgrace to any Government that its budget should depend upon such tainted money as money coming out of the degradation and deterioration of its people. But there is a very sharp contrast, Sir. I hold in my hand a book by Mr. Pritchard dealing with the Administration of India from 1859 to 1869. I wish to read one or two short extracts showing how the opium revenue of India to the tune of very nearly Rs. 10 crores was sacrificed by the Government of India. For whose benefit? Not for the benefit of the sons of the soil, but for the benefit, Sir, of the Chinese, and even that benefit the Chinese do not get. The result has been that China did not get opium from India; they got it from Persia and other places. Sir, Sir Charles Trevelyan goes on to remark:

"The idea of the Chinese becoming independent of us by growing their own opium is a mere chimera. The cultivation has been permitted in China for several years, with the result that the demand upon India for opium has been continually increasing. India has been bountifully dealt with in the great division of labour established by nature. She has an advantage over all the world in producing indigo, saltpetre, opium, and some other things; the Chinese on their part are more likely to increase their cultivation of tea and silk than of opium. Even if the quantity grown in China was largely increased, Bengal opium is so much better than the native products, that it could still be sold as an article of luxury like Manilla and Havanna cigars."

I do not grudge, Sir, any benefit which China may have got from this policy of self-denial of the Government of India. But I cannot congratulate the Government of India on this policy of theirs for reasons which I will state a little later.

Mr. President: What do you mean by "a little later"? That is, to-day?

Sir Purshotamdas Thakurdas: Yes, Sir, within a couple of minutes.

I feel, Sir, that at least on this question of the liquor excise or the liquor policy of the Government of India, they are absolutely debarred from urging the question of finance. If they can sacrifice 10 crores for China, surely, Sir, they can devise a method in consultation with the Provincial Governments by which the liquor policy will be so regulated that we will be spared any further poisoning of our masses by liquor either imported or locally made.

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I wish to say a few words about the position of Indians in our Colonies and Dominions. I feel that as far as South Africa is concerned, the position appears to be fairly satisfactory, thanks to the efforts of the Right Honourable Srinivasa Sastri. But I have a recollection that Mr. Sastri's term of office will expire very soon and I am sure I am reflecting the views of everybody in this House when I say that we hope that it will be possible for Mr. Sastri to accept an extension of his term of office because we cannot possibly expect to get a better person than him, and it will be difficult to get an equally good person to represent India's interests in South Africa. I am sure the House will also note with appreciation the effort of the Government of South Africa in dropping the liquor clause in the Bill, for which we had an adjournment. The position regarding East Africa is, however, very disconcerting. There is a Commission there at the present moment on which there is no Indian representation at all. In this connection, I gratefully acknowledge the compliance of His Excellency the Viceroy with the wishes of the deputation that waited on him in Simla during the September Session. His Excellency accepted our suggestion that at least two officers of the Government of India should be deputed to East Africa to help the Indians there. Kunwar Maharaj Singh and Mr. Ewbank were so deputed and I have heard the very best reports about the great assistance which they gave to Indians in putting forward their case in East Africa. What the result of the Commission's report will be, it is difficult for me to say. But I very gratefully acknowledge His Excellency the Viceroy's compliance with the suggestion we made and the extremely useful work which both Kunwar Maharaj Singh and Mr. Ewbank have done in East Africa.

Regarding British Guiana, we have got conflicting reports. I do not know what information the Government of India in the Emigration Department happen to have, but if there be any truth in the report that we have got from non-official sources, I am sure that the Government of India in the Emigration Department would have convened a meeting of the Emigration Committee. But I think that it is very necessary that the Government should watch the position as far as the developments in British Guiana are concerned. I am rather concerned about the question of emigration as a whole because I see everywhere efforts being made to oust the Indians, if possible. To that end, I suggest that out of the nett income of very nearly 2 lakhs of rupces to the Government of India in the fees on emigrants recovered from countries which get emigrants from here we ought to have a stronger department in the Government of India to look after the affairs of Indians abroad generally. By this suggestion I am not making any reflection on my Honourable friend Mr. Bajpai's department or on his efficiency, but I feel that, whilst Indians are becoming so unwelcome in various Colonies, it is necessary for us to look after the Indians already there and I am very much inclined to feel that the Government of India ought to have somebody who should always be on the look-out for suitable places where, if necessary, emigration from India may be undertaken with all possible precautions. I do not think that it will entail any very great expense, but a department suitably started and efficiently manned is what I think is necessary for this purpose.

Sir, there is a heavy gloom at present over the trade, commerce and industry of India. Every one who has spoken regarding this, whether

he be the representative of a British Chamber of Commerce or an Indian Chamber of Commerce, has expressed the hope that India may have turned the corner as far as the depression is concerned. No one either from the Indian or the European commercial community has yet ventured to say that trade and commerce in India is well off.

Mr. Jamnadas M. Mehta: What about Mr. Shah Nawaz!

Sir Purshotamdas Thakurdas: I was thinking of the commercial men, not of the Member from the Punjab. It is a pious hope, but the prosperity of the grower appears to me to have gone. His buying power is at its lowest and my only hope is that the staying power of the grower is not yet completely undermined. I do not know what can be done to recoup the buying power of the masses. I do not think that is a thing which can be done or can even be suggested as feasible by a fiat or a decree in Council. The same process

Mr. President: Order, order. If the Honourable Member is going to take a long time, I shall adjourn the House.

Sir Purshotamdas Thakurdas: I will take five minutes more. The same process by which this power was undermined, whether knowingly or unknowingly, intentionally or unintentionally, will be the process to build up this. In the meantime, our only hope and salvation is that nature will be kind to us although our Government has not been as kind to us as it should have been.

But there is a problem which requires immediate attention and that is the problem of unemployment in increasing numbers amongst the educated middle classes. I see from the various Provincial Council reports that the question has been put forward there only to be turned down with a sigh from the Member in charge that the Provincial Governments by themselves can do nothing. What the Government of India can do in this direction, I do not know, but I do feel that this debate will be absolutely incomplete without a reference to it and a substantial appeal made from this side of the House to the Treasury Benches to consider if anything is feasible immediately. I know that it has been customary to say that this unemployment of the middle classes is due to the educational policy that has been pursued till recently. Whether that is so or not, the fact is that to-day there are thousands upon thousands of people of the middle classes who are without employment.

A great deal has been said about our military expenditure. I will say only one sentence about it. There is nobody who dislikes the military expenditure as it stands at present in stronger terms than I do, but what we want is a change in the policy and not merely in the details of it. You may study ever so much the details of the military budget but it will not bring you anywhere near reduction to 50 or 40 crores which Honourable Members may have in view. What we want is a substantial change in the policy and that cannot be had until we have a substantial change in the outlook of Great Britain regarding India and the Government of India. I am convinced that no amount of tinkering with details can possibly help us and to that end I have felt and I still feel it that the greatest importance must be attached to the constitution and the powers of the Simon Commission. People lightheartedly say that our opposition is due to sentiment. There is no sentiment about it. Our position is based on sound common

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sense and fully matured thought which are based upon the experience of the economical, commercial, industrial and financial administration of India till now; and we are convinced that, unless the Government allow us Indians to have a substantial voice in moulding our fate hereafter, we cannot possibly be a party to any Commission, whether a statutory one or otherwise.

Finally, Sir, I feel that we this time have shown our displeasure regarding the various actions of the Government in a manner which cannot be mistaken. The throwing out of the Finance Bill can only be one more gesture in that direction. It is known indeed to my Honourable friends on this side of the House that the Finance Bill is likely to be, or shall I say is sure to be, or may I go further and say must be certified. Why then insist upon it being thrown out? Have not we expressed ourselves sufficiently frankly, sufficiently sternly and sufficiently unmistakably to prevent us indulging in what after all is a mere additional gesture? We have given enough proofs of this. For that reason, Sir, I am not prepared to walk into the lobby of my friends here this time. But I do not propose to walk into the Government Lobby for the simple reason that I am convinced that the Government could have avoided our censure, but either they would not or they could not. If they could not, they must get the powers from Whitehall. If they would not, then they deserve all the censure that we gave them by throwing out their touring expenses.

The Honourable Sir Basil Blackett: Sir, may I appeal to you to bring this debate to an end immediately after lunch, because it has gone on for some time and Government business has got into some congestion.

Mr. President: Does the Honourable Member wish to speak now?

The Honourable Sir Basil Blackett: I am afraid I shall have to speak at some length, for 20 minutes or so. If I might after lunch.

Mr. President: The Chair is prepared to accept a closure if any Member moves it.

Sir Walter Willson: I move, Sir, that the question be now put.

The Honourable Sir Basil Blackett: Sir, am I not to speak? I have a right of reply.

Mr. President: The Honourable Member will be entitled to reply after the closure. The question is that the question be now put.

The motion was adopted.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

The Honourable Sir Basil Blackett: Sir, we have had a long debate extending over more than a day on the third reading of the Finance Bill. I confess that I did not expect this long debate at this stage of the Bill

though I had expected it, on the motion that the Bill be taken into consideration. The debate has covered a very large number of subjects and I am afraid that it is impossible for me, with the best will in the world and even if the House were willing to listen all the time, to cover any but a small proportion of the total number of subjects dealt with. I have to thank several Members again for kind things—sometimes too kind things—said about me, and I have had the usual castigation from Mr. Jamnadas Mehta. The subjects dealt with have been financial and political and economic. I want to begin first with one or two financial points and clear them out of the way. The Honourable and gallant Baronet, Sir Victor Sassoon, complained that owing to the debate taking a political turn, he did not get answers to the financial points that he raised. The particular case he instanced was my reply to his argument on the consideration stage of the Finance Bill in regard to company's super-tax. Now, I thought I had given a very effective reply which had reduced him to silence. But if I failed to answer his points I desire to apologise to him, though I feel convinced in my own mind that I succeeded in convincing the House that it was undesirable to accept his amendment. I do, however, wish to apologise to him for my reference to a case in the High Court. I was mistaken in that instance and I desire at once to withdraw any suggestion that the amendment had any reference to the case. Sir Victor made an interesting suggestion about finding employment for some of India's unemployed officials who sit on the Government Benches, which I must say appealed to me very much. It is a matter that has often been under consideration, but, as usual, there are considerable difficulties in adopting the precise suggestion that he has made. But I am sure the Government will note it with interest. Sir Purshotamdas Thakurdas referred again to the question of cash certificates. I have looked up the answer to the question in 1925 and to my mind it quite clearly conveys the information that the Government were providing only for the actual bonus that became payable and not for the liability. But that is not an important point and I can quite understand if he read it in a different way. But I have some complaint of the way the House has treated my frank statement in regard to the cash certificates. The position is that ever since these cash certificates were introduced we have provided yearly only for the amount that actually had to be paid in the year. In doing so we were following the normal budget practice of providing as a rule—not invariably but as a rule—only for sums that actually become payable during the year and not for accruing liabilities, and we were following a practice that was adopted from the beginning in the case of the corresponding War Savings Certificates, now the Savings Certificates, in the United Kingdom. The question of the liability that was accruing in respect of Savings Certificates in the United Kingdom was fully examined by the Committee on National Debt and Taxation, generally known as the Colvin Committee and they reported:

"After full consideration of the evidence we agree that no alteration in the present practice of budgetting only for actual cash requirements for interest payments is called for."

They examined the matter and they decided that the system adopted in England, which is the system adopted here, was the best one to maintain. I drew attention to the accruing liability because it seemed to me that in

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India we were allowing a rather larger liability to grow up than was desirable, and I should have suggested some special provision for it this year had it not been that we had to provide over 80 lakhs specially for deferred interest on the 1918 war bonds maturing in 1928. It seemed to me, therefore, quite reasonable that we should continue the practice for another year, but I thought it desirable to draw the attention of the House to it, and I am very glad indeed that I did so, in view of the fact that it is evidently news to many Members of this House that this liability was accruing. I should not have liked to have had it said that I had left it to my successor to draw attention to it.

Another subject that has been raised is the question of sterling borrowing. I have already dealt with it at some length in connection with the debt position both here and in another place. In 1913 the proportion of our sterling debt to our total debt was 66 per cent. In 1923 it was 46 per cent. and on the 31st March, 1928, it is again 46 per cent. But between 1923 and 1928 we have purchased at a cost of well over £20,000,000 the Great Indian Peninsula Railway, the East Indian Railway and the Delhi-Ambala-Kalka Railway as well as incurring some other liabilities in connection with the acquirement of railways. So that, really if you want to make a comparison between 1923 and 1928, you ought either to add the sterling debt that was then due by these railways to the debt of the Government of India in 1923 or to subtract a corresponding figure now. I maintain that the figures that I have given show that our policy in regard to sterling borrowing has been to avoid it as far as possible. I think it is something of an achievement to have avoided it except in the first year and in the last year of the five years with which I have had to deal, and I hope that the policy will always be wherever possible to incur not sterling debt, or not external debt, but rupee debt, for the purpose of our productive capital programme. But so long as we have a productive capital programme in the neighbourhood of 40 crores a year, I think it is probable that from time to time it will be necessary to supplement the resources of the Indian money market by borrowing from outside. I hope it will not be necessary to do it to any great extent, but if it does become necessary, provided the amount is reasonably small, I think it is preferable to adopt that policy rather than to curtail our programme of productive capital expenditure. If, on the other hand, it appears that the amount that has to be borrowed externally is growing unduly large, then I think it will be wise to reconsider the question whether we can afford a productive capital programme of the size that we at present go in for.

On the economic side a great many attacks have been made. Lala
 3 P.M. Lajpat Rai complained that the budget statement had nothing to say on all sorts of subjects. I feel that it is rather an unkind return for a laudable effort on my part to make my budget statement as short as possible and as much as possible to the point. Nevertheless, I think if he will study earlier budget statements of mine he will find that these subjects have not been entirely neglected. The charge has been made that the Indian peoples are groaning under the burden of taxation, that they are becoming more and more impoverished, that everything is going

from bad to worse, and that the breaking point is being reached. I do not think anybody in this House or outside it can fail to realise the very great poverty of the masses of India, both urban and rural. It is patent that great poverty exists; nothing could be clearer. The difficulty is that while the existence of the poverty is clear the remedies are not so clear. Nevertheless, I think that Honourable Members, in dwelling on this aspect of the case, sometimes perhaps in their desire to throw bricks at the Government, are a little oblivious of the steps that are being taken and that have been taken to improve the economic condition of the Indian peoples. I was reading only a few days ago a very interesting book by the Deputy Commissioner of Gurgaon, called "Village Uplift in India", a study of which I commend to my Honourable friends. They will see there what a district officer and his wife are trying to do to improve the state of affairs in the district with which they are dealing. I do not want to be provocative, but I give it as my clear judgment that there are few countries in the world, if any, in which economic progress has been greater than it has been in India in the last two or three decades. Undoubtedly, the start is from a very low standard and that accounts perhaps for the pace at which improvement is taking place. Nevertheless, if Honourable Members will consider the condition of the Punjab, for example, now and 30 years ago, they cannot but be struck by the immense improvement in the economic condition of the people. (*An Honourable Member*: "The Punjab is not the whole of India".) Look at the canal colonies and remember that what has been done in the canal colonies will prove eventually to be only a small instalment of what is going to result if success attends the big projects of irrigation that are now well on the road towards completion,—the Sutlej project, the Sukkur Barrage scheme, the Mettur project in Madras and many others. Mr. Jamnadas Mehta quoted a good many figures at me. If he will allow me to say so, I am afraid that his anger with the present Finance Member has rather reduced the value of his speeches in the House. I hope when the present Finance Member is succeeded by somebody else less objectionable to him he will return to his earlier style of oratory which, though not quite free from vituperation, was more related to facts than the speeches that he has quite recently been making. He chose to single out one or two particular years and was quite unwilling to take the statistics over a series of years. I have got a few figures here which I hope Honourable Members will listen to, in order that they may not complain that Government has merely made statements rhetorically without giving figures. Lala Lajpat Rai asked what Government has been doing for education. The children undergoing primary education in British India in 1913 were 5,265,000 and in 1926 it was 7,799,000,—an increase of 48 per cent. The number is still very small. . . .

Pandit Madan Mohan Malaviya: What is the percentage of school-going children at present in the country as a whole?

The Honourable Sir Basil Blackett: As I was saying before the Honourable Member interrupted me, the number is still very small, but those figures are, I think, a refutation of the statement that the Government are not trying to do a great deal. Now as to the economic condition of the people—in 1913 there were no co-operative banks in existence. In 1923 there were 68, and in 1927 there were 127. Deposit—there were nil in 1913.

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8½ crores in 1923, and 18¾ crores in 1927. Savings Banks deposits,—Rs. 20½ crores in 1913, Rs. 23¼ crores in 1923, and Rs. 32 crores in 1928. That I think is rather slow progress, but one has to remember that in 1913 there were no cash certificates, in 1923 there were Rs. 4 crores (nominal value) outstanding, and in 1928 there were Rs. 40 crores. Taking the bank deposits, exclusive of Government deposits, of the commercial banks in India, in 1913 there were Rs. 92 crores, in 1923 Rs. 190 crores, and in 1928 Rs. 209 crores. In 1913 the production of iron ore was Rs. 371,000 tons, in 1923 821,000 tons, and in 1925, the latest year I have got, it was 1,545,000 tons.

Then, there is another subject in which I have taken special interest—the Security Printing Press at Nasik. Up till 1923 the whole of our stamps and the whole of our currency notes were imported from abroad at a cost in 1913 of about £200,000 and in 1923 of about £550,000. From this year, 1928-29 onwards, practically the whole of our stamps and the whole of our currency notes will be produced in India by Indian labour. I do not want to labour statistics. It is always possible to pick out particular ones as Mr. Jamnadas Mehta has shown us (*Mr. Jamnadas M. Mehta*: “And as you are showing now”) and as the Honourable Member thinks I have shown now, but at any rate I have not chosen one particular year against another. But I do maintain that my statement is well founded that the economic progress of India since the beginning of the twentieth century has been very striking and I hope it will continue.

An Honourable Member: How much does an average man eat and how much does he wear?

The Honourable Sir Basil Blackett: This brings me I think from the economic to the political arguments that have been used. Pandit Motilal Nehru made a speech which I at any rate felt was the most clear statement that has yet been made in this House of the position of his Party, and if I may use the word of a speech that was essentially uncompromising, it was a most moderate statement. The thesis of Pandit Motilal Nehru is this. He began by quoting from Lord Birkenhead about the importance, political, economic and strategic, of India to the British Empire. He agreed I think with the Noble Lord in his statement of India's importance to the British Empire and I am entirely prepared to agree with Pandit Motilal Nehru in his agreement. I think it is possible to make out an equally strong case for the importance, economic, political and strategic, of the British Empire to India. But I pass that by. I accept the Honourable Pandit's first premise, that India is immensely important to the British Empire. Now, what was his deduction from that. His deduction from that was that, however honest their intentions and their professions, the British people simply cannot mean to do anything that will cause any risk of India becoming strong economically or likely to become sufficiently free politically to exercise judgment as to whether she will stay within the British Empire or not. He said that, human nature being what it is, it is out of the question that any British statesman should really mean to do this. I think that is a fair

statement of the case that he put. He concluded that, since it was out of the question to hope for anything from the British Government or the Indian Government as at present constituted, since indeed it would be treacherous act against the interests of the British Government or the Indian Government for any one connected with them to take any such action, it was hopeless to look for anything from co-operation with the Indian Government. He said that nothing was to be gained from co-operation. He claimed that in his conversation with people in England, on the Continent of Europe, and I suppose also in Russia, he had been confirmed in this view. They said that that was the view they would take—it was hopeless to co-operate with the British Government—but they went on to say, according to him, that the logical next step is that, since you cannot get anything by peaceful evolution, you must get it by revolution. Pandit Motilal then said that that might be so, but in present conditions it was hopeless for India to expect anything at the moment from revolution and that it was impossible for her to take that step. The position therefore reached by him is one of complete hopelessness for the time being. I do not know how this hopelessness is to be remedied, but I rather gather that in his mind was the idea that in some moment of danger and some moment of weakness the British Government might be forced to concede to India what India cannot get at other times or that revolution in such circumstances might possibly succeed. If that is his view, I do put it to him that he is profoundly mistaken. I first of all claim that the action that has been taken by the British Government, particularly the declaration of August 1917 and what has happened since, is proof that whether or not they are wise in their own interests they have been trying to help India to advance on the road towards self-government. Lala Lajpat Rai told us the other day "Oh, yes, that was a war measure and they did not really mean it". He was slightly wrong in his history, but I do not think that it was in any sense a war measure. It is possible that the announcement of August 1917 was accelerated by the war, and it certainly took place during the war, but if it was accelerated by the war or if it could in any sense be called a war measure, it was not, I maintain, a concession wrung from an unwilling British Empire by the Indian politician, but it was a generous recognition of the great services rendered by the martial races of India on the stricken battlefields of the world. But I also maintain that it was in no true sense a war measure. It was an expression of at least two factors which are fundamental in the British position towards India. The first factor is economic and the second is a political one. The economic factor is this. The greatest economic interest of Great Britain lies in an India which is economically strong and prosperous because she wants to trade with India. But there is a political motive which goes even deeper. Something was said this morning about the impeachment of Warren Hastings. From the beginning of the British connection with India, the British Parliament has been perfectly consistent in one line of thought. It has felt that there were dangers to the liberties of Great Britain in the existence of anything like an autocratic Government controlled by the British people—that ultimately the liberties of Great Britain would be endangered if something could not be done to limit the existence of autocracy in the Indian Empire. That was the motive behind Burke's speeches in the impeachment of Warren

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Hastings—I do not enter into the question whether the impeachment was right or wrong—and that was the fundamental motive behind the announcement of August 1917. I would maintain therefore that Pandit Motilal Nehru was quite wrong in his reading of human nature. I do not claim that the British motive has been altruistic. I do not put it on altruistic grounds. I say that her economic interests and her political interests make it necessary that she should try and secure an India that is economically strong and prosperous—and remember that a country that is economically strong and prosperous must soon be politically strong—and that it is necessary that India should somehow or other be helped to advance on the road towards self-government. And I think that I may claim sufficient knowledge of the British people to say that even if Pandit Motilal Nehru and his friends continue to insist on refusing to help the British people in their effort, the British people will continue with that effort. They will continue, because they must.

I have still one more quarrel with Pandit Motilal's reasoning. He said that it was useless to co-operate with the British Government or with the Government of India because of this human nature of which he spoke. But I put it to him that, even supposing all his arguments were correct and that he is right, it would be wiser, so long as it is impossible to go in for this revolution of which he is dreaming, to take part in the political evolution of India towards something which would take him one stage nearer self-government, so that when the opportunity arises it may be easier for India to make use of the opportunity, having already advanced to a certain stage along the road. I cannot see how Pandit Motilal draws from his premises the conclusion that, even if it is useless to co-operate in order to obtain eventually self-government, it is unwise to co-operate, while advancing along the road.

I would like to turn for a moment again to Pandit Madan Mohan Malaviya. Something was said this morning by Mr. Gaviu-Jones about the late Mr. Edwin Montagu. Pandit Madan Mohan Malaviya spoke of him as a great man and a great friend of India. I desire entirely to join with Pandit Madan Mohan Malaviya in that expression of opinion. Mr. Montagu entered Parliament and the Treasury at the same time in 1906 and it was my fortune to work with him before, during and after the war in very many different circumstances. It was from Mr. Montagu's lips that I received Lord Reading's invitation to come to India and it was an interest in the constitutional problem that Mr. Montagu had set India and the British people that was one of the chief inducements to me to accept the post. But Pandit Madan Mohan Malaviya having eulogised and rightly eulogised Mr. Edwin Montagu is surely not honouring his memory in the best way by not working or trying to work the constitution which owed so much to Mr. Montagu. I put it to Pandit Madan Mohan Malaviya that it would be honouring the memory of Mr. Montagu better if he would try to work the constitution, even if it is an unsatisfactory one, than by trying continually to obstruct. Pandit Motilal Nehru and you, Sir, entered this Assembly in 1924 with the avowed object of destroying the Assembly from within. In the spring of 1924 a good deal was done in that direction. No one I think on any side of the House,

certainly not on this side, doubted for a moment that it was possible to destroy the Assembly from within. I do not agree with one speaker this morning who said it required organization. All it required was a majority. Once you have a majority and so long as you keep that majority together using the ordinary forms of the House and the ordinary forms of the constitution, it is perfectly possible to make the constitution a mockery. And that is what seemed to be about to happen in the spring of 1924. Mr. Ranga Iyer, with whom I do not generally agree, said one thing with which I do agree, and that is that the best years of Pandit Motilal Nehru's life were spent in co-operation with the British Government. (Laughter.) And after the spring of 1924, for one reason or another, but I like to think partly because Pandit Motilal Nehru is a statesman, the effort to destroy the Assembly from within collapsed pretty well for the time being. It has been revived this Session in circumstances which are obvious. I adopt Mr. Chaman Lall's words—in circumstances which are obvious; and perhaps I may say, for reasons which are obvious. I confess that it seems to me that the wound has gone deeper this Session than it did in 1924. I may be wrong; I may be thinking under the emotion of the present moment. I hope I am wrong. I remember my predecessor in the position of the Leader of the House saying that his duty was to hear and to report to the question, "Watchman what of the night?", and he was longing for the moment when he could reply, "The dawn is at hand". I cannot report that the dawn is at hand, but it may be that the darkest hour before the dawn, when the human spirit is lowest, is that which is on us now and that it will be the fortune of those who succeed me at an early date to be able to report that the dawn is at hand.

I want to turn now for a moment to the motion actually before the House which is that the Bill do pass. It has been suggested that the Bill should be thrown out. Pandit Motilal Nehru says that if he can obtain a sufficient amount of support he will try and throw it out. Now it is I think peculiarly inappropriate at this stage to turn round and throw out a Bill which has been taken into consideration without a division, every clause of which has been examined and every clause of which has been accepted by the House. Mr. Srinivasa Iyengar said a constitutional deadlock had been reached. It is not quite true that a constitutional deadlock has been reached, because those responsible for the constitution have provided a means for dealing with the situation that would arise. Nevertheless, Honourable Members, and Pandit Madan Mohan Malaviya in particular, seemed to be very anxious, if not themselves to vote for the rejection of the Bill, to instigate the Congress Party into voting for its rejection. Indeed, as I listen to Pandit Madan Mohan Malaviya and Lala Lajpat Rai speaking for a party whose second name is the Responsivist Party, I sometimes think that they regard the main object of existence of their party to be to keep the Congress Party up to its professions by threatening to outbid them. I hope that is not going to be what will happen in this case. I have a good deal of sympathy with the position taken up by Pandit Madan Mohan Malaviya. What he says is that you ask us to vote the whole of the ways and means although a large part of the supply is withdrawn from our vote, and even if we have voted against a certain part, it is restored. There

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is a good deal of exaggeration about the amount of supply that is withdrawn from the vote of this House. 52 per cent. of the expenditure of 1928-29 is votable. But I will give the Honourable Member another argument, which, though a narrow one, has I think some relevance. This Bill provides for the imposition of taxation totaling about 24 crores, and it also provides for the running of the Post Office without loss or profit. I take it that Honourable Members have every desire that the Post Office should continue to run. They are asked in addition to vote for a Bill which will impose taxation to a total of 24 crores. The total of supply actually voted by this House, excluding anything that was rejected and restored, is about 26 crores. Therefore they are voting in this Bill less than the total amount of ways and means necessary to finance the supply which they have actually voted. I have said that the argument is a narrow one, but it is valid within its limits. If you take it that the Army and the other non-votable items are financed out of the taxes and other forms of revenue which are not under discussion in this Bill, you are not being asked in this Bill to do more than supply the additional taxation required to finance the amount that you have voted in this House for expenditure during the coming year. I put that argument to Honourable Members because I know they are anxious not to lead the House into a false position; and I do suggest that even if Pandit Motilal Nehru is not willing to resume his co-operation with the Government, even for a few moments at any rate to the extent of not voting against this Bill, other Parties in this House will be wise to think twice about voting for the rejection of this Bill at the third reading. It is very different from rejection at the consideration stage. At the third reading you reject a Bill the whole of the contents of which you have already fully considered and discussed and approved. And therefore you put the Governor General in the position of deciding whether to do without the additional taxation that he desires and whether to do without a Post Office or bringing before this House a Bill the whole of the contents of which have already been fully approved at the consideration stage by this House. I suggest that however desirable it may be—and I quite understand what moves Honourable Members in feeling dissatisfied with the present constitution—however desirable it may be to make another gesture of dissatisfaction with the Government and all its works, a gesture of this sort will be something of a boomerang. It cannot really hurt the Government so much as it must hurt the Assembly. I do not want to be provocative in that argument. But at this stage that surely is the effect of rejection of the Bill, and I hope in these circumstances Honourable Members will allow the Bill to pass in the form in which they have already adopted it without a division at the third reading. (Prolonged Applause.)

Mr. President: The question is:

"That the Bill to fix the duty on Salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, further to amend the Indian Paper Currency Act, 1923, and to fix rates of income-tax, be passed."

The Assembly divided:

AYES--61.

Abdul Aziz, Khan Bahadur Mian.
 Abdu Qaiyum, Nawab Sir Sahibzada.
 Abdullah Haji Kasim, Khan Bahadur
 Haji.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Ahmed, Mr. K.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterjee, The Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dalal, Sardar Sir Bomanji.
 Gavin-Jones, Mr. T.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Hussain Shah, Sayyed.
 Irwin, Mr. C. J.
 Ismail Khan, Mr.
 Jowahir Singh, Sardar Bahadur
 Sardar.

Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra.
 Nath.
 Mohammad Ismail Khan, Haji
 Chaudhury.
 Moore, Mr. Arthur.
 Muhammad Nawaz Khan, Lieut.
 Sardar.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Rao, Mr. V. Pandurang.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Roy, Rai Bahadur Tarit Bhusan.
 Sams, Mr. H. A.
 Sassoon, Sir Victor.
 Shah Nawaz, Mian Mohammad.
 Shamaidhari Lall, Mr.
 Shillidy, Mr. J. A.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yakub, Maulvi Muhammad.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

NOES--41.

Acharya, Mr. M. K.
 Aiyangar, Mr. G. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Bhargava, Pandit Thakur Das.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit N'akantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Goswami, Mr. T. C.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jogiah, Mr. Varahagiri Venkata.
 Kekar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.

Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Sarfaraz Hussain Khan, Khuz
 Bahadur.
 Shafee, Maulvi Mohammad.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Yusuf Imam, Mr.

The motion was adopted.

THE INDIAN MERCHANT SHIPPING (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill further to amend the Indian Merchant Shipping Act, 1923, in order to vest in the Governor General in Council the control of matters covered by that Act, as reported by the Select Committee, be taken into consideration.

Apart from one or two small drafting changes, Sir, only one modification has been made in the Bill in the form in which it was introduced. It was felt by the Select Committee, as explained in their Report, that when the control of matters relating to merchant shipping passed from the maritime Local Governments to the Government of India, it was desirable that means should be provided by which the Government of India could get in touch with mercantile opinion generally. At present the maritime Local Governments have their headquarters at the great ports and are always in a position to ascertain what mercantile opinion is, and the representatives of the commercial community can approach them at any moment. The Government of India have not that advantage. It was thought that the want might be supplied by the constitution of an Advisory Committee, or Committees, in connection with merchant shipping matters, which the Government of India could consult about the framing of rules and the scales of diet, equipment, etc., which have to be laid down. That view is entirely accepted by the Government of India. It is important that they should be kept in constant touch with commercial opinion, and they think that this Committee will serve a very useful purpose. The Select Committee also considered, as will be seen from their Report, whether it would be possible at present to provide in the Bill for the functions and constitution of the Committee or Committees. It was felt, however, that it would not be possible to do this at the present stage. It is a matter in which it is very desirable that commercial opinion should be fully consulted before a final decision is reached; and that consultation has not yet taken place. One important question is whether there should be only one Committee, dealing through sub-committees with various aspects of merchant shipping, or whether there should be a series of Committees. Then, again, it will be necessary to consider what interests exactly ought to be represented on the Committee, and, finally, it will be necessary to consider what exactly the functions of the Committee are to be. The Government of India propose, as soon as the Session is over, to take up the question and to invite commercial opinion on these matters. When these opinions have been obtained, the Government of India will consider whether it is desirable that a specific provision should be embodied in the law regulating the functions and constitution of the Committee. It may be found better, in order that procedure may be elastic, to leave these points to be dealt with by rules or by executive action; on the other hand, it is conceivable that it might be thought right to include a provision on the subject in the Act itself. On these matters the Government of India retain an open mind. But when we have elicited commercial opinion on the subject, we will take the whole matter into consideration. That covers fully, Sir, I think the only change made in the Bill by the Select Committee, and I do not think I need add anything further about the rest of the Bill.

Sir, I move.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muham-
 madan Rural): Sir, I welcome the announcement that has just been made
 by the Honourable the Commerce Member in connection with the Ad-
 visory Committee which is to be instituted, a Committee which will be
 able to bring for the benefit of the Commerce Department and the better
 administration of our marine system the experience of those who have
 direct contact with the problems that will come before the Department
 for discussion and final sanction. With regard to the Committee, Sir, as
 the Honourable the Commerce Member has pointed out, the subject
 was discussed in the Select Committee and it was agreed on all sides that
 the Government should invite the opinion of commercial classes in this
 country before setting up a Committee or a series of Committees as may
 be found desirable. With regard, however, Sir, to the composition of the
 Committee, I should like to make it clear that if we try to follow in this
 country the system that is adopted in England with modifications that
 may be necessary in view of the particular conditions prevailing in India,
 it would be the best for the administration of the Act we have under
 review. In England, Sir, there is a statutory Merchant Shipping Ad-
 visory Committee on which the following interests are represented, name-
 ly, (1) shipowners, (2) underwriters, (3) naval architects, (4) pilots, (5) deck-
 officers, (6) engineer officers, (7) wireless operators, (8) seamen, firemen,
 stewards, cooks, etc. Following this composition of the English Commis-
 sion, I beg to suggest that, when the composition of this Committee comes
 under consideration of the Government, they should consider whether it
 would not be a good thing for India to have a Committee or Committees,
 as the case may be, having on it representatives of ship-owners, deck and
 engine staffs of the steamers concerned in the trade, seamen, firemen,
 stewards, cooks, etc., serving on the steamers, the underwriters concern-
 ed with the insurance of the vessel and the cargo, the pilots and port offi-
 cers and other interests that require representation. But I hope, Sir, that
 it will be borne in mind that just as in England the Merchant Shipping
 Advisory Committee consists of the nationals of that country, similarly I
 trust our Advisory Committee, whose members are to be nominated prob-
 ably by Statute or, it may be, by an executive order, will consist of
 Indians only; and if the Government are not agreeable to that sugges-
 tion, I hope at least on that Committee there will be a clear and definite
 majority of Indians, because in the composition of this Committee I trust
 it will never be forgotten that the interests of India must always be con-
 sidered first and last; and if any representation is given to non-Indian
 interests owing, as I said before, to the particular conditions prevailing in
 this country, it should be made clear that that representation is only
 temporary in character and the Government should always bear in mind
 the desirability of having in time a Committee composed fully of Indians
 representing various commercial and other interests by their presence on
 that Committee.

There is one other point which was referred to in the Select Commis-
 sion to which I should like to draw the attention of the House. That is
 the reference to the personnel of our mercantile marine administrations.
 Under the new scheme which the Government proposes to constitute it
 is desired to have a principal officer who will be responsible to the Govern-
 ment of India, and the point that I wish to suggest refers to the method
 of recruitment so far as this principal officer and his assistant officer are
 concerned. Sir, the position to-day is that in India we have got port

[Mr. Sarabhai Nemchand Haji.]

officers, deputy port officers, engineers and ship surveyors, but we have not got nautical surveyors. Now, I understand that it is the intention of the Government of India to supplement this long standing defect in the administration of the ports and I welcome the changes they propose to make. But I trust—and I hope the Honourable the Commerce Member will confirm my suggestion—that in recruiting their officers, particularly for the posts of port officers and deputy port officers, they will pay full attention to the claims of the officers of the mercantile marine, which class has so far been excluded from representation in these posts. It has been found that as a result of the policy so far adopted by the Government, the interests of the shipping and the shipping communities are not properly safeguarded. Up till now the practice has been to recruit the higher officers from the members of the Royal Indian Marine. And it has been stated that on these officers, admirable as they doubtless are in so far as work of the Royal Indian Marine is concerned, an undue strain is put whenever they are asked to work in a semi-naval or a semi-commercial capacity. In this connection, I wish to refer here to the opinion of the Indian Merchants' Chamber given in connection with the recruitment of these officers from the Royal Indian Marine. The opinion runs as under :

“My Committee desire to lay special stress on this point because it is found by experience that officers of that service, that is the Royal Indian Marine, do not possess the requisite knowledge of merchant shipping laws or of the working of cargo and passenger ships and have not also the previous training necessary for the discharge of their duties.”

This commercial opinion is strengthened by opinions received from various similar bodies, and I shall thank the Honourable the Commerce Member to confirm my statement, or at least he will agree to give an undertaking on behalf of the Government, that the claims of the merchant service men will be considered in that connection. Of course, we will be told no doubt that the claims of the senior men in the Royal Indian Marine must be considered first of all because they are the men who are entrusted with the naval defence of the Indian coast and it is necessary that there should be certain high posts carrying fat salaries that should be kept open for members of this service. It is not our intention to render the administration unnecessarily costly, nor is it desirable that these officers should not be utilised if it is in the interests of the country at large. But, Sir, in taking the men for the port administration, I think the Government will do well not only to bear the interests of the Royal Indian Marine in mind but also the interests of the shipping and ship-owning community in India. The Royal Indian Marine would no doubt have enabled us to get Indian officers in those posts which have been reserved for the Royal Indian Marine, if the Royal Indian Marine had been open to Indians in practice as, I know, it has been open in theory. It was stated at the time of the discussion on the Indian Navy Bill that there was no prohibition against Indians applying for these posts in the Royal Indian Marine, but as every one who knows anything of the subject is well aware it was not possible for Indians to apply for these posts because there were no proper facilities for their training either in the nature of a training ship as is the case to-day or by way of apprenticeship on merchant ships. As I showed on another occasion, British shipping companies in this country refused right down to 1924 to take Indians as apprentices on

the definite anti-Indian plea of a colour bar. But I do not want to dilate on this subject at the moment. My position would be sufficiently served if I could get an assurance from the Honourable the Army Secretary that all that the Government intended to do with regard to Indianization of the Royal Navy would be done now with regard to the Royal Indian Marine, and that the various offices which are now vacant in the Royal Indian Marine will be entirely filled up by Indians as soon as the opportunity arises. To-day, for example, in the cadre of the engineering officers and subordinate staff, there are 8 vacancies for Sub-Lieutenants. Now, in view of the fact that there are already 42 Europeans among the engineer officers and as this is a branch of the service where a sufficient number of qualified Indians could be easily made available if the Government will take the trouble to find them out, may I suggest that all these 8 vacancies, or as many of them as it is proposed to fill, should be filled by Indians and Indians alone? Even if you do that, there will be a sufficient number of Europeans in the service and I maintain that no objection could be taken to it on the ground that it will lead to an adverse effect upon the *esprit de corps* of the service. That much, Sir, with regard to the engineering officer's branch of the Royal Indian Marine which could have given us many Indians capable of working the Port Trust if the Royal Indian Marine offices had been made practically available to the people of this country at an earlier date. Now that attention has been drawn to it, I trust that Government will not take long to rectify the error in which they have continued for the last so many years.

Now, Sir, if we have Indians in the Royal Indian Marine, it would give us an avenue by which we could get Indians in the Port Trust administrations. There is no doubt that this process of Indianisation will take time. It is therefore necessary that other avenues should be

4 P. M. exploited, namely, the admission of men from the merchant ships into these posts which are concerned with the administration of the ports. That is why, if I may, I would like to suggest that, in view of the necessity of keeping some prize posts open for the present-day officers of the Royal Indian Marine, the majority of posts in port administration should be thrown open to the merchant service men. And may I also suggest, with that end in view, that out of the 6 proposed posts of principal officers, 2 be reserved for Royal Indian Marine men whose claims when they get into a particular seniority have got to be considered, and the other 4 should be kept available, by competition preferably and, if necessary, by selection, only to the men of the mercantile marine. With regard to the posts of deputy principal officers it is not necessary that there should be a definite reservation for the Royal Indian Marine except perhaps in so far as some posts are required by which the Royal Indian Marine men could be trained and afterwards be promoted to the higher grade, and I trust, Sir, that, if we set apart, say, about 2 posts in the second grade cadre, it will suffice for the purposes the Government have in view. All the rest should be kept open for the merchant service men in order that the deficiencies of the present-day port administrative service, to which I drew the attention of the House a little earlier, may be obviated in the future administration of the ports.

There is just one other point to which, with your permission, I would like to make reference, and that is the administration of the Act under

[Mr. Sarabhai Nemchand Haji.]

which the deck passengers are carried along the coast of India. Now that the Government of India have undertaken a policy of revising the whole of the administrative system in this regard, it is desirable that a subject to which their attention was drawn as early as 1921 by the Deck Passengers' Committee should be taken up for serious consideration and that final conclusions thereon be put before the Indian public.

So much, Sir, with regard to the details of the subject. As regards the general principle underlying the Bill, I have nothing more to say except to add just one word in the sense of repeating what I said before, namely, that in all these new administrative organisations and the central Committees and the local committees proposed to be appointed to advise the Government of India, the Government will bear in mind the necessity of keeping all these Committees Indian in character, and in the allotting of their powers will bear in mind the principle that in all these matters it is the interests of India and India alone that should be considered, and if there are non-Indian interests which have got what they like to call vested rights in this country, then the consideration extended to them should be temporary in character and should be withdrawn at an early date.

Mr. N. M. Joshi (Nominated : Labour Interests) : Sir, I am not against the principle of this Bill, namely, that certain powers so far exercised by the Local Governments should now be transferred to the Government of India. But, Sir, I was very glad to hear from my Honourable friend Mr. Haji, that the Advisory Committee that should be appointed under the new clause inserted by the Select Committee should not only consist of the mercantile interests but should include representatives of Indian seamen. When I heard the speech of the Honourable Member in charge of the Department and when I found that he thought that it is only the interests of the merchant that are important, as regards the administration of the Merchant Shipping Act, I became very apprehensive. I thought, Sir, the Honourable Member had forgotten that that important legislation contains a very large number of sections which deal with Indian seamen. But, Sir, the Honourable Member has now got opportunities of dealing with this legislation and also with the administration of the Indian Merchant Shipping Act more fully than he had before. In this House several times before I have suggested that the Indian Merchant Shipping Act requires amendment and modification. The Government of India have ratified certain Conventions of the International Labour Conference which require the modification of the Indian Merchant Shipping Act. The Government of India must also modify the Indian Merchant Shipping Act as regards the sections regulating the recruitment of Indian seamen. Thirdly, the Government of India will have to take into consideration the racial distinction that exists in the Indian Merchant Shipping Act as regards the scales of wages and the scales on which living accommodation and food are supplied to the seamen. The Indian Merchant Shipping Act makes a distinction between Indian and European seamen as regards both wages as well as the room and the rations given to Indian seamen and European seamen. Sir, it is the policy of this House and perhaps of the Government of India to remove racial distinctions at least in their legislation. I hope the Government of India will look into their Indian Merchant Shipping Act now

as they have got full powers and amend the Act so as to remove that racial distinction. I hope also, Sir, the Government of India have now got full control over the administration of the Merchant Shipping Act and will amend the Act so as to remove the difficulties as regards the recruitment of Indian seamen. I hope they will also amend the Act so as to accept the recommendation of the Committee appointed by them for creating an Advisory Committee for the Shipping Master for the recruitment of Indian seamen. There is nothing in the clause to prevent the representatives of Indian seamen being included, but, Sir, from the speech of the Honourable the Commerce Member, I thought that he requires a little reminder that it is not only the interests of merchants that are important for the Indian Merchant Shipping Act but there are other interests more vital perhaps than the interests of the merchants which ought to be taken into consideration when the Advisory Committee is formed. I hope, Sir, the Honourable Member will remember this point.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): Sir, a few words fell from my Honourable friend, Mr. Haji, with which of course I am bound to find myself in complete opposition. He so perfectly, frankly and definitely represents a particular interest in this Assembly and is at all times so racial and so definitely anti-British that he cannot expect me to endorse his remarks about the composition of this Committee. The House, Sir, is a very empty one and therefore I do not propose to detain its "emptiness" very long.

Mr. President: There will be no interruptions.

Sir Walter Willson: The only point, Sir, I wish to make is this,—that so long as British shipping interests—and when I use the word "British" I mean residents in this country who pay their taxes in full and who contribute to all the expenses of this country—so long as they have their interests in this country, just so long are they entitled to full representation on every Committee that may be set up. Into the proposal which he made in regard to the various appointments I do not propose to enter because that is a Government matter. But in general, Sir, all we claim is this, that the best men should be appointed for the posts, and I am tired of hearing all this claim of fat salaries for particular individuals on purely racial grounds.

The Honourable Sir George Rainy: Sir, I do not propose to speak at any length in reply to what has been said by previous speakers, but there are a few points on which I have to say something. Mr. Haji referred to the Merchant Shipping Committee in the United Kingdom which is, as he said, a statutory body. But I should like to point out in what sense it is a statutory body. It is not a fact that in the British Merchant Shipping Act, the functions and constitution of that Committee are laid down. On the contrary, the position is exactly the same as it will be if this Bill is passed into law, and the new clause that the Select Committee added to the Bill follows closely the British model. I mention that because it brings out the point that in Great Britain at any rate it has been thought better not to attempt to lay down too much in the Act and to have an elastic procedure. The British model, however, does not necessarily bind us, and as I have already said, we retain an open mind on that point. Then my

[Sir George Rainy.]

Honourable friend went on to express the hope that as the ultimate goal we should aim at having a Committee of Indians only, and that from the very start we should have a Committee with a majority of Indians. He also said that he hoped it would be remembered that in this matter, as in other matters, it was the interests of India that had to be considered first and last, and all the time. I have no difficulty whatever in agreeing with the latter statement. That is the constant policy of the Government of India that our action must be determined by the interests of India. But I do regret that my Honourable friend put forward his suggestion in precisely the form he did. After all, this is an extremely practical matter with which we have to deal under the Merchant Shipping Act. We want to get the best advice we can so that our rules may be framed so as to secure the safety of the lives and property conveyed on merchant ships, and so as to secure reasonable and fair treatment for the seamen employed in these ships, and other practical matters of that kind. In order to obtain that advice our Committee ought to contain representatives of all the interests likely to be affected, and I think it would be a thousand pities if the Government of India were to be deprived, as they might be deprived during the next few years while the Indian Mercantile Marine has still not made very much progress, of the advice we really need, owing to racial theory about representation. I deprecate the question being raised in that form.

Mr. Sarabhai Nemchand Haji: Not racial, but national, Sir.

The Honourable Sir George Rainy: I accept the Honourable Member's correction, Sir. I should have said "national." But I do not believe when it comes to the point that this question will give nearly so much difficulty as it may when it is raised in an abstract and academic form. What I am prepared to say is that we are anxious, and shall always be anxious, to see that all Indian interests are fully represented on the Committee, so that their views may be brought fully to the notice of Government. But I am not going to go on to say that steps will be taken to prevent other points of view also being brought to the notice of Government. For I must remind the House that what we contemplate is an Advisory Committee and not an administrative body.

Next, as regards recruitment to the administrative staff. I have a word or two to say. It is undoubtedly part of the scheme which the Government of India contemplate for the reorganisation of the service which will look after mercantile marine matters that the principal appointments at the ports should be filled by officers of the Royal Indian Marine or, as I hoped to say, by officers of the Royal Indian Navy. For the moment the latter phrase is taken from me, but I have every hope that it is not taken from me for very long, and that in a comparatively short time it will be open to me to refer to that service as the Royal Indian Navy. There are several reasons why the appointments should be filled in this way and one of them is this. If this service, the Royal Indian Marine, is to be developed into an Indian Navy, one of the difficulties in the early years of that service will be the absence of an adequate number of senior appointments to make recruitment to the service run evenly. That is one reason. I do not say it is conclusive in itself, but it is important, and I should be very sorry if it became necessary in the interests of merchant

shipping to make a change in the Navy scheme which might imperil its success. On the other hand, we recognise that it is desirable that the principal officers should have a much better training than their predecessors have had in the past in such matters as nautical surveying, and should be in a better position to discharge the duties which fall to them, and it is an essential part of the scheme that officers of the Royal Indian Marine who are appointed principal officers should have a course of training under the Board of Trade in the United Kingdom which will make them much more competent to deal with certain matters that come before them. The Government of India recognise also that there is a lot to be said for the filling of a proportion of these appointments, if possible, from the Mercantile Marine. We are engaged at present in considering to what extent that can be done without endangering other interests. I am not in a position to make a final statement on that point to-day, but I can assure the House that the matter will not be overlooked. I think it is quite possible that we may be able to arrange for a certain proportion of the Surveyors' appointments and also of the principal officers—I cannot give the exact proportions—to be recruited from the Mercantile Marine. My Honourable friend Mr. Haji put a question to my friend Mr. Young, the Army Secretary, which he has asked me to answer. He has asked me to say that the recruitment plans which were outlined in dealing with the Bill for the Indian Navy remain entirely unaffected by the rejection of the Bill; that is to say, the scheme for the recruitment of Indians will go on exactly as if that Bill had not been rejected.

Then my Honourable friend mentioned the Deck Passengers' Committee as a matter which required very early attention. I entirely agree with him, and I should like to mention that we have obtained the services of an expert ship surveyor from the United Kingdom who is now on special duty in this country, associated with an officer of the Royal Indian Marine who has been trained under the Board of Trade, and they are examining the whole question with the object that it may be possible for us to deal with it before very long.

My friend Mr. Joshi, with his usual doubt as to the alertness of the Government of India in keeping their eyes open to labour subjects, expressed the hope that the point of view of Indian seamen would not be overlooked. It is obvious I think that our scales of rations and the rules dealing with the employment of Indian seamen are very important matters on which our Advisory Committee will have to give us a good deal of help. Therefore the Committee must, in one form or another, contain representatives of Indian seamen. I cannot commit myself as to the manner in which that ought to be done, but that their point of view must be represented I for one have no doubt whatever.

I think I have dealt with all the points of substance that were raised in the discussion, and I do not think it is necessary for me to say anything more.

Mr. President: The question is:

"That the Bill further to amend the Indian Merchant Shipping Act, 1923, in order to vest in the Governor General in Council the control of matters covered by that Act, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 to 9 were added to the Bill

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The title and Preamble were added to the Bill.

The Honourable Sir George Rainy: I move that the Bill, as amended, be passed.

The motion was adopted.

THE INDIAN TARIFF (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways). Sir, I move that the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, as reported by the Select Committee, be taken into consideration.

As I pointed out to the House when I introduced the Bill and when the Bill was referred to the Select Committee, the proposals included in it are a collection of particular changes none of which is closely connected to another. It is difficult, therefore, to say what exactly the general principle of the Bill is. Only one very small change—hardly more than a drafting change—was made by the Select Committee in the Bill as introduced, and I do not think that it requires any special mention. Certain other matters will come up for discussion in connection with proposals that were considered in the Select Committee, but I think it will be more convenient to refer to them after Honourable Members have moved the amendments standing in their names.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: The question is.

"That this be the Schedule to the Bill."

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadian Rural): Sir, I beg to move:

"That in the Schedule to the Bill, in amendment No. 5, the word 'and' be inserted after the word 'cotton' and the words 'and canvas ply' be omitted."

Sir, the Bill, as it emerges from the Select Committee, provides a duty on canvas ply. This sort of belting is used mostly in Burma in rice factories. The Tariff Board in their report on page 5 say:

"Canvas ply belting is used for conveyor belts mainly in rice mills. From the evidence which we have received, it would appear that the industry is of small importance. Messrs. Birkmyre Brothers state that the demand for this class of belting is so limited that any enquiry into the matter would be a waste of time, while though they manufacture such belting in small quantities in their canvas department, they do not press for any relief in respect of duty on canvas used in such manufacture."

Further on, they say:

"We inspected the factory of Messrs. Tyabji and Company, the only applicant for relief, at Rangoon. The method of manufacture is simple. Imported cotton duck is folded over into the requisite number of plies, which are then stitched together by means of a sewing machine. After the belting has been stitched, it is dressed with red oxide and linseed oil and is then hung up to dry. At the time of our inspection four men only were employed at the factory, though we were informed that when working fully the number of employees was ten. In these circumstances, we doubt if the manufacture of canvas ply belting can be regarded as an industry at all."

The Tariff Board considered that it was not an industry at all and need have no protection. Then because they did not want to have an invidious distinction they proposed that an import duty should be levied on this article also. I ask why, simply on account of an invidious distinction, you should penalise all the rice factories in Burma and elsewhere, who use this sort of belting? Canvas ply belting is not such an article that it cannot be distinguished at the port. There would be no difficulty at all in distinguishing when these articles enter the customs house. Therefore I submit that it is quite unnecessary to penalise those factories which are using this sort of canvas ply belting. We were told in the Select Committee that there are factories which are using this sort of belting to a great extent, and when we are not in any way helping the industry—as we are told by the Tariff Board itself that it is not an industry at all—I would submit that there is no case to include canvas ply belting too in the Schedule.

With these words I beg to move my amendment.

The Honourable Sir George Rainy: I think it is plain from the Report of the Tariff Board itself that they do not attach very great importance to this proposal to impose a duty on canvas ply belting. That is evident from the extract from the Report read by the Honourable Member. If the question of canvas ply belting had been the only one placed before them it is quite possible that they would not have made any proposals. But the difficulty they felt, I think, was this. They had made up their minds as regards cotton belting and hair belting that it was necessary to redress the tariff inequality which existed and they made certain proposals to that effect. The manufacture of canvas ply belting in India being subject to exactly the same kind of handicap under the existing tariff as the manufacture of cotton and hair belting, they felt it would be extremely difficult to exclude from the scope of their proposals the manufacture of canvas ply belting. I submit, Sir, the Tariff Board were right in the view they took. Since canvas ply belting is made in India and is subject to this handicap as the result of the existing tariff, I think it would be unfortunate if we were to omit canvas ply belting from the scope of the duty which has been proposed by the Tariff Board and accepted by the Government of India. That, Sir, is how the case stands. I do not think it is necessary to multiply words about it and I leave it at that.

Mr. President: The question is:

"That in the Schedule to the Bill in amendment No. 5 the word 'and' be inserted after the word 'cotton' and the words 'and canvas ply' be omitted."

The motion was negatived.

Mr. W. S. Lamb (Burma: European): I rise to move the amendment* which stands in my name. Perhaps, Sir, we might take Nos. 5 and 15 together. They are connected. Before I begin my argument I should like to say that I did not send in a note of dissent owing to circumstances which I need not describe. I had not the time to do so. That is no embarrassment to my Honourable friend the Commerce Member because he knew that in the Select Committee I was opposing this duty on belting—cotton and hair belting. I am against this duty because it is a tax imposed on machinery, because cotton belting and hair belting are used wherever power of any kind is used. I do not think it should be necessary for me to plead here that machinery be admitted free of duty. Honourable Members will remember the attitude of Government during the Simla Session. They told us that they proposed to take off the $2\frac{1}{2}$ per cent. on machinery which embraced all kinds of belting. They said that they were very happy to effect this deliverance because they believed that the encouragement given to industries justified the contemplated loss in revenue to the extent of 40 lakhs a year. Now, Sir, at the time when this became law, the Tariff Board were on the point of giving birth to this report. It might be said that it was a nine months embryo and the Honourable the Commerce Member could not possibly have been unaware of the impending birth. Actually I think with a little effort this report and the inquiry might have been put out of the way before Government came to us with the final recommendation. The firm Birkmyre & Coy., which is mainly concerned in this matter, started their representations in the year 1911. They continued them right down to 1923 and 1924. The Government Resolution concerning this matter of tariff equality is dated March 1925, so that I put it to Honourable Members there is no reason why Government should not have made this inquiry and disposed of the matter before the Simla Session. I would ask Honourable Members whether it is conceivable that if this report had been before Government they would have come to us and said that all machinery is to be admitted free of duty, with the exception of cotton and hair belting, and that in the matter of this belting the duty should be increased from $2\frac{1}{2}$ to 5 per cent. I ask Honourable Members to feel whether Government would have come to us with such a proposition, that of excluding belting any more than they would have made an exception of piston heads, grate bars or other essential parts of machinery. I would put it to the House that if this report had been in their hands they would have considered alternatives and of course there are alternatives. I would now come to this question of tariff equality. So far as I can see, and I have searched through the Library here, this is the first report of this nature. That being so, I think we might have a statement from the Commerce Member giving us a little more of what is in the mind of the Government in this matter of tariff equality, than you find in this Resolution of March, 1925. We users of belting will get nothing out of this proposal, and as usual in Bills of this nature, the province from which I come, Burma, is the worst sufferer. There is nothing in this report to show that this industry will profit by the 5 per cent. duty. If you look at page 29 you will see that you will require a bounty instead of a duty if it is to do any good. Actually an industry of this nature is not entitled to a bounty because the cotton and hair belting is entirely imported—practically none of the raw materials are secured in this country. Government on a calculation ought to get Rs. 1,30,000

*In the Schedule to the Bill amendment No. 5 be omitted.

out of it. There is a calculation somewhere that this duty will cost the jute mills 0-2-6 per ton on jute manufactures. That sounds a very small and negligible amount but it represents to Bengal about Rs. 1,30,000. I might equally apply this to the $2\frac{1}{2}$ million tons of machine rice exported from Burma and then you would get something over 3 lakhs, and altogether a sum in the region of 5 lakhs, which is being paid by the consumers of belting. At least we know that they are going to pay Rs. 1,30,000. I would suggest to this House that a rebate be given of the duty on the cotton yarn and hair yarn and other things. According to the figures of 1926 that would amount to Rs. 45,000. I suggest to the Honourable Member that it is very much better for the country as a whole that it should lose that Rs. 45,000 rather than that it should put a tax on industries up and down India by putting on this 5 per cent. Now, with regard to this question of a rebate, in the Report of the Tariff Board regarding the grant to the Printers' Ink industry, which was presided over by our Honourable friend Sir George Rainy, he wrote:

"A system of rebates can be most easily and safely worked when the finished product of the industry is a single commodity of a definite and ascertainable composition."

Now, it seems to me that belting is exactly the article he would look out for if he were considering rebates. I put it to him that it is, and further I would note that in this Report of the Indian Tariff Board on the question of tariff equality, the Collector of Customs in Calcutta, on being approached in the matter, said there would be no difficulty whatever. He did not like very much to add such identification to his work, but he said there would be no difficulty whatever in identifying the cotton yarn and hair yarn that may come to them. So that actually from the point of view of the industry I suggest that it is absolutely proper that instead of putting on this duty they should give a rebate, particularly as there seems to be no difficulty whatever in operating it practically.

I commend my amendment to the favourable consideration of the House.

The Honourable Sir George Rainy: My Honourable friend Mr. Lamb, Sir, is of the opinion that he has caught the Government out in an inconsistency, because in September last we asked this House to remove the duty on all kinds of machinery, and now we are asking them to impose a duty of 5 per cent. on a particular kind of machinery. I do not know whether my Honourable friend has studied deeply the record of the debates that took place in the Assembly at that time. But if he will do so he will find that I distinctly and definitely stated that it was part of the Government of India's intention, in asking the House to approve of the removal of the duty on machinery, to be ready to place before them, when suitable cases occurred, proposals, either for the protection of the manufacture of particular kinds of machinery in India, or for what is called the removal of inequality of tariff treatment. It was therefore put fairly and squarely to the House, when I moved for the removal of the duty on machinery, that cases of the kind now before us were likely to occur, and that the Government of India would in that case be prepared to ask the House to re-impose such rate of duty as might be necessary, either for protective purposes, or to remove inequality of tariff treatment. My Honourable friend also said that he could see no reason why the Government of India should not have

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brought this proposal forward and got it put through in time for legislation during the autumn Session of the Assembly. But there was this difficulty. Until the Tariff Board knew whether the Legislature were going to remove the duty on machinery they could not formulate their proposals as to the duty required to produce equality of tariff treatment, for their recommendations would vary according to the decision arrived at by the Assembly. And I believe it was for that reason that they did not formulate their proposals finally until after the legislation of last September had been passed by this House and by the other House.

Mr. W. S. Lamb: Sir, I would like to point out that in this report there is a reference to the effect that Government simply have not come to conclusions about the cotton yarn. So that it does not appear that they were waiting for this legislation.

The Honourable Sir George Rainy: I am not speaking from any inside knowledge of what passed in the Tariff Board. What I was putting forward was merely my own view of what probably influenced them; and from my own recollection of the position in which the Tariff Board is placed, I think it would have been my view, had I still been a member of the Tariff Board, that it was necessary to know what was going to be done about the duties on machinery. The fact that the Government of India intended to propose the removal of these duties was published as far back as June 1927, and was therefore known to the Tariff Board. And for that reason it seemed to me probable that that was what had influenced the Board. But the main point is the one I have already made, that I definitely and distinctly drew the attention of the House to the possibility that we should have to bring forward proposals of this kind; and it was in the face of that knowledge that this House passed the Bill for the removal of the duty on machinery. Now, my Honourable friend has said that this is the first occasion when equality of tariff treatment has been proposed by the Tariff Board and that he would have liked to have had a clearer explanation of what that mystic phrase may mean. I do not think he is right in the facts because my recollection is that there is a 5 per cent. duty on Printers' ink, which is now in the Statute-book

Mr. W. S. Lamb: May I point out, Sir, a difference in the two cases. The one case dealt with "The Report of the Tariff Board on the grant of protection to the Printers' Ink industry"; while the other was "The Report of the Tariff Board on the question of tariff equality in respect of the manufacture, etc." So that in the one case it was protection and in the other tariff equality.

The Honourable Sir George Rainy: Is my Honourable friend to be guided solely by the exterior of the Tariff Board's reports? (Laughter.) I at least who have spent some time and labour in the compilation of the interior, can hardly accept that criterion; and if my Honourable friend will read that report he will find there is quite a lot of interesting material on the subject of equality of tariff treatment. What the phrase means is merely this, that if it appears that under our existing tariff a particular manufacture is worse off than it would be under a system of absolute free trade then inequality of tariff treatment exists. What it usually means is that the

industry has to pay a higher duty on the raw materials it uses than the duty on the finished article which it manufactures. In every case of that kind you have to consider whether it is in the national interest that the inequality should be removed. That question always arises, but once you have proved that the inequality exists, then there is a *prima facie* case for redressing the matter. That is all that is proposed in the present case. We want as far as possible to put hair-belted and cotton and canvas ply belting in the same relative position as they would be in if there were no duty on the raw materials and if there was no duty on the belting itself. We are not asking the House to approve a measure of protection in this case. Had we been doing so, the proposal would have been included in a separate Bill. We are merely asking the House to put the manufacturer in as favourable a position as he would be if all duties were removed. Finally, Sir, my Honourable friend said that what Government desired to do might have been done in another way, and he suggested that it might be done through a system of rebates,—a rebate on the cotton yarn and other imported materials used. I am a little doubtful whether in fact it would have been possible to give all the relief necessary in that way, but there was one great obstacle which made that course impossible, namely, that it would have been necessary to grant a rebate of the duty paid on the cotton yarn, and that would be definitely against the interests of the manufacturers of cotton yarn in India. I do not think, Sir, that the Government of India would have been justified, after taking steps at the last Session of the Assembly, to have a specific minimum applied to the duty on cotton yarn for the express object of protecting the industry in India from unfair competition. I do not think it would have been right if they had dealt with this matter on the basis of paying a rebate of the duty on cotton yarn to the manufacturers of belting. If that was out of the question, then there was really no other way of dealing with the matter except by imposing a higher duty on belting and that consideration we regarded as conclusive.

I think, Sir, I have dealt with all the points raised by my Honourable friend, and I trust that the House will not accept his amendment.

Mr. President: The question is:

“That in the Schedule to the Bill amendment No. 5 be omitted.”

The motion was negatived.

Mr. Mukhtar Singh: Sir, I beg to move:

“That in the Schedule to the Bill amendment No. 14 be omitted.”

I am extremely thankful to the Honourable the Commerce Member for supplying me with all the information that I needed to study this point. But I am extremely sorry that even after studying the details supplied to me I do not consider that this amendment should be made. The first complaint against this is that as a matter of fact the import duty has already been reduced by a Notification, dated the 25th September, 1926, as we all know. The Government did not make a statement at the Simla Session that they had made this amendment, and even before that, when they agreed to have that amendment, and wrote to the Government of Greece, even then they did not take the Assembly into their confidence. It was

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a matter which affected the customs duty and which affected in a way an Act which was already on the Statute-book. It was but necessary for the Government at least to make a statement in the Assembly that they were going to take a certain step and were going to agree to an amendment of this nature. We are asked, Sir, now to give effect to that notification. I do not submit that the notification is illegal in any way. The power was there, and the Governor General has exercised the power quite legally, but the point is simply this, that the Assembly was not taken into confidence at the time when the commitment was made. Further, Sir, let us see whether it is really in the interests of the country that this amendment has been made.

Mr. President: Order, order. Is the Honourable Member going to make a long speech on this?

Mr. Mukhtar Singh: Yes, Sir.

Mr. President: The House stands adjourned till to-morrow morning at Eleven O'clock.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 20th March, 1928.

LEGISLATIVE ASSEMBLY.

Tuesday, 20th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

REFUSAL OF THE CONCESSIONS GRANTED IN CONNECTION WITH THE RECENT MOVE OF THE OFFICE OF THE DIRECTOR-GENERAL OF POSTS AND TELEGRAPHS FROM CALCUTTA TO DELHI TO 19 CLERKS OF THAT OFFICE.

488. ***Mr. Anwar-ul-Azim:** (a) (i) Is it a fact that out of about 220 clerks only 19 clerks of the office of Director General, Posts and Telegraphs, have been deprived of the concessions granted in connection with the recent move of that office from Calcutta to Delhi?

(ii) Are Government aware of the great discontent prevailing among the 19 men?

(iii) Are not these men on the same cadre and prospects as the rest of the clerks of that office who have been granted concessions?

(iv) Were not all 19 men recruited for service in the office of the Director General, Posts and Telegraphs, Calcutta and Simla, and were not their services interchangeable?

(b) Have the concessions been given to the clerks and assistants who have not actually moved to Delhi and who are not even expected to move to Delhi in the near future? If so, why and from what date?

(c) How many clerks and assistants beyond Calcutta and its neighbourhood have been given the concessions, and what are the reasons, if any, for withholding these concessions in the case of others residing in other provinces, other conditions being equal?

The Honourable Sir Bhupendra Nath Mitra: (a) (i) Yes.

(ii) The refusal to grant any concessions asked for is sure to cause some discontent.

(iii) Yes.

(iv) Yes.

(b) Yes, with effect from the 1st November 1926, to 2 clerks only as they fulfilled the conditions on which the concessions were given.

(c) All clerks who were transferred from Calcutta to Delhi with the move of the office to Delhi were granted the concessions except those who did not hold permanent appointments on 5th August, 1926, the date of issue of Government orders.

Mr. Anwar-ul-Azim: Will the Honourable Member in charge of the Postal and Telegraph Department kindly tell us whether it is a fact that the few Moslems who are there in the office of the Director General of Post Offices were mostly recruited either at Simla or Delhi? If the proposed concession is changed will they be the persons who will be hit hardest?

The Honourable Sir Bhupendra Nath Mitra: The reply to the question contained in the first part of the observation is in the affirmative.

EXAMINATION FOR TIME SCALE CLERKS IN THE POSTAL DEPARTMENT.

489 ***Mr. G. Sarvotham Rao:** (a) Will the Government be pleased to state whether they have recently prescribed an examination test for the time scale clerks in the Postal Department for promotion to the selection grade of Rs. 160—250 and if so, what is the reason for introducing the examination?

(b) Is it a fact that the All-India Postal and R. M. S. Union, Calcutta, made a representation to the Director-General, Posts and Telegraphs, pointing out the severity of the syllabus and the hardship that would be caused to the senior officials of advanced age by making them undergo the ordeal of an examination and requested that officials who have put in 20 years' service be exempted from the examination?

(c) Is it a fact that the rules for the examination have been subsequently modified relaxing only some of the rules but no exemption was granted to the senior officials from appearing at the examination?

(d) Have not these officials worked in various capacities in all the branches of the Head Office, and have held independent charges of several sub-offices and have also crossed two efficiency bars?

The Honourable Sir Bhupendra Nath Mitra: (a) The examination was prescribed by the Director-General with the approval of Government. The reason for introducing the examination is to provide a test to ascertain whether the officials due for promotion possess the requisite knowledge of English and of the rules of the department.

(b) Yes.

(c) Yes.

(d) The mere fact of holding charge of sub-offices and crossing efficiency bars in the time-scale is no proof of fitness for selection grade posts which involve duties of a more responsible nature.

INSTALLATION OF ELECTRIC FANS IN THE RAILWAY MAIL SERVICE SORTING OFFICE IN MADRAS.

490. ***Mr. G. Sarvotham Rao:** (a) Will the Government be pleased to state whether it is a fact that about 150 officials are working in the Madras Railway Mail Service sorting office?

(b) Is it a fact that the sorting office is not fitted with electric fans although there are electric lights in the building?

(c) Is it a fact that electric fans have been provided for the Park Town Post Office located in a portion of the same building?

(d) Is it a fact that the staff have been making repeated representations to the Government for the last three years to provide the building with fans as the heat is unbearable in summer in Madras and as they have to work under very great pressure and with very inadequate accommodation?

(e) Is it a fact that the Government have replied every time to the representation that arrangements are being made for installation of fans but nothing has been done till now?

(f) What is the reason for the abnormal delay in getting the work done?

Mr. H. A. Sams: (a) Yes.

(b) Yes.

(c) No.

(d), (e) and (f). Attention is invited to the reply given on 26th March, 1927, to item (c) of Diwan Chaman Lal's starred question No. 1209.

ALLEGATIONS AGAINST LIEUTENANT SHUJAT ALI OF THE RAILWAY MAIL SERVICE, "T" DIVISION.

491. ***Mr. G. Sarvotham Rao:** (a) Will the Government be pleased to state whether they have perused the editorial article under the heading "Regime of Lt. Shujat Ali in the R. M. S., 'T' Division", published in the General Letter for the November 1927 issue by the Madras Provincial Branch of the All-India Postal and R. M. S. Union?

(b) Have the Government also perused the correspondence and the statements of transfers, punishments, etc., published in the same General Letter at pages 357 to 360?

(c) Have the Government perused copy of an article on "Notes from all sources" published at page 360 of the same General Letter?

(d) What is the nature of the action taken by the Government on the publication of the above materials?

(e) Have the Government deputed any high officer from the Directorate to investigate into the allegations and to deal properly with the official if he is found guilty of all the allegations? If not, why not?

Mr. H. A. Sams: (a) to (c). Yes.

(d) The Postmaster General, Madras Circle, has been asked to look into the allegations. The Postmaster General has already reported that the transfers were justified. I told the Honorary General Secretary of the All-India Union that if he gave me a signed memorandum on the subject, I would order a full investigation.

(e) No. Government considers that the Postmaster General, Madras, is fully competent to inquire into the allegations.

MANAGEMENT OF THE DARJEELING-HIMALAYAN RAILWAY.

492. ***Mr. K. C. Neogy:** What are the intentions of Government about the future management of the Darjeeling-Himalayan Railway whose contract is due to expire in the near future?

Mr. A. A. L. Parsons: The matter is now under examination.

EXTENSION OF THE DIFFERENT PROVISIONS OF THE INDIAN BAR COUNCILS ACT TO THE VARIOUS HIGH COURTS.

493. ***Mr. K. C. Neogy:** Will Government be pleased to make a statement giving the dates on which the different provisions of the Indian Bar Councils Act were extended to the different High Courts?

The Honourable Mr. J. Crerar: The Act applies to the Chartered High Courts mentioned in section 1(2). It has been applied to the Chief Court of Oudh also. Some of its provisions are already in operation—*vide* section 1(3). All the remaining provisions have been brought into force in respect of the Chief Court of Oudh with effect from the 1st March, 1928, and sections 3 to 7 in respect of the Calcutta High Court with effect from the same date. For the rest, the provisions not yet in general operation will be brought into force with effect from the dates on which the rules to be made under the Act by the High Courts are ready. It is hoped that these dates will be announced shortly.

QUESTION NOT PUT, OWING TO THE ABSENCE OF THE QUESTIONER, WITH ANSWER THERETO.

TRAINING OF INDIAN BOYS IN MILITARY AVIATION.

487. ***Dr. B. S. Moonje:** (a) Have Government seen the newspaper reports as published in the *Amrita Bazar Patrika* of Calcutta of 3rd March, 1928, page 9, of the Afghan Government sending 25 Afghan boys to Italy for training as military aviators?

(b) Do the Government propose to take similar action for the training of Indian boys in military aviation in connection with the University Training Corps or Urban or Provincial Corps of the Territorial Forces and if so, what are the Government proposals in the matter?

Mr. G. M. Young: (a) Yes, Sir.

(b) The Honourable Member is referred to my speech in this House on the 10th March, which contains a full description of the proposals of Government in regard to the training of Indian boys as military aviators. There is no proposal to train Indian boys in connection with the Territorial Force or the University Training Corps.

UNSTARRED QUESTION AND ANSWER.

PUBLICATION OF SOUTH INDIAN INSCRIPTIONS.

414. **Mr. V. V. Jogiah:** (a) What was the last date of publication of the latest volume of the South Indian Inscriptions?

(b) How much time will it take to publish the inscriptions copied in the year 1927?

(c) Have the Epigraphists been instructed to allow transcripts also along with the impressions to help scholars in their historical and philological research?

(d) Is it a fact that the impressions of the inscriptions copied by the Epigraphic Department will not be allowed to the public for 2 years after their copying?

Mr. G. S. Bajpai: (a) November, 1926.

(b) It is hoped to publish the more important inscriptions collected in 1927 during the year 1928-29. The inscriptions of lesser importance will be published later.

(c) and (d). Impressions are already made available to the public as soon as they have been published or after two years from the date when they are deciphered, whichever is earlier. Generally this rule is also observed in respect of transcripts, though transcripts which the Department proposes to publish eventually are not usually made available to scholars in advance of publication. The Department is always ready to give scholars assistance in connection with their research work, and will consider sympathetically requests for relaxation of the ordinary rule in special cases.

*415 to 427.

RESOLUTION *RE* FINANCIAL IRREGULARITIES RELATING TO THE SAMBHAR SALT IMPROVEMENT SCHEME.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, I beg to move:

"That this Assembly recommends to the Governor General in Council that a Committee of official and non-official Members of this House be appointed to make a thorough investigation into the financial irregularities relating to the Sambhar Salt Improvement Scheme referred to in the Report of the Public Accounts Committee for 1925-26."

Sir, I do not think I will be accused of exaggeration if I were to say that this is the greatest scandal, the greatest financial scandal, that has come to light since the institution of the Public Accounts Committee. Even the Government of India do not seek to minimise the gravity of the irregularities that have been brought to light, and in one place in a memorandum on this question they say that the irregularities reduce the expenditure of public funds to a state of chaos. The Public Accounts Committee also have stated that the seriousness of the case is difficult to exaggerate. Sir, Sambhar is one of the main sources of salt supply in India, and for some time past there has been a sort of speculation as to how far the supply of salt at that place was dependent upon rainfall. Some salt experts have been of opinion that there is a definite co-relation between the monsoon and the output of salt at that place. But when I looked into the report of the administration of the Northern India Salt Revenue Department for 1918-19, I was a little doubtful as to whether there was any definite proof about this matter. There is a graph appended to this report which I have tried to study to the best of my ability, and it does not, in my view, establish any definite co-relation which is sought to be established by some of the officials. Then, again, some observations made

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in paragraph 19 of that report also do not bear out to the fullest extent the expert view in this matter. However, Sir, for the last 20 years or so, attempts have been made to remove the elements of uncertainty which were considered to be dependent upon the uncertainties of the monsoon, as far as possible; and we find that in the reports dealing with the years 1905-06 onwards, there is reference to the fact that several canals have been constructed in that area, the manufacturing area has been extended and other minor improvements effected which, according to the opinion of the experts, had to a very large extent counteracted the elements of uncertainty in this matter. Satisfaction, I find, is expressed year after year in the Administration Reports beginning from 1905-06, about the results achieved by the construction of certain canals which have enabled the department to tap the subterranean currents of salt to a much larger extent than before. But when we come to the year 1918-19 we find that doubts are expressed as to the value of these improvements, and for the first time a suggestion is made that a scientific investigation might be carried out and further improvements might be taken in hand. When I looked into the figures relating to the average output of the previous years, I did not find anything there to justify this pessimism in the year 1918 or 1919. Then it struck me that perhaps there was a change in the personnel of responsible officers at that time which led to this change in the outlook; and I found that Mr. Ferguson who has been in charge of the department ever since 1918-19 was for the first time appointed to this department in that year. So, the idea of having some further improvements effected started with Mr. Ferguson. Just at that time, a scientist in the person of Sir Thomas Holland officiated for Sir George Barnes as the Commerce Member, and in the year 1919 it appears that Sir Thomas Holland and Mr. Ferguson put their heads together and decided to undertake further improvements on a scientific basis. Speaking in the Legislative Assembly in March, 1921, Sir Thomas Holland made reference to the considerations that had led him to import an officer, an Engineer by the name of Captain Bunting, from the United Provinces to undertake the necessary improvements. It seems that the United Provinces are a sort of hot-bed of salt experts. I am told that Mr. Ferguson comes from those provinces, and the expert, Captain Bunting, also came from the same place.

Now, Sir Thomas Holland, Mr. Ferguson and Captain Bunting hatched a new scheme of improvements, which to all appearances was of a very scientific character. Sir Thomas Holland claimed that if he were allowed a free hand, if the Assembly were to allow him sufficient funds for carrying on his scheme, he would be in a position to flood the market with cheap salt. That is the claim which he put forward in March 1921. Then again we find a reference to this scheme the next year in connection with the Budget, by Sir Charles Innes, who was in charge of the Commerce and Industry Department at the time. Opposing certain proposals for the reduction of the salt grant, he definitely made the statements that the scheme of improvements was going to greatly increase the supply of salt, that the price of salt to the consumer would go down as a result of the improvements, and that there would be a direct return from the salt revenue also. Honourable Members will find the speech at page 3081 of the proceedings of the Assembly, dated the 15th March, 1922.

Now, Sir, none of these visions, either of Sir Thomas Holland or of Sir Charles Innes, has come true, but I will deal with that later. The next we hear about the scheme is in the autumn of 1925, when the Public Accounts Committee deal with the Audit and Appropriation Report of 1923-24. At that time certain gross financial irregularities on the part of officers in charge of the scheme were brought to light, and I find that even the Honourable the Finance Member, who is Chairman of the Public Accounts Committee, on that occasion reflected upon the affection of the particular Executive Engineer for cutting Gordian knots too freely. But the grossest irregularities had yet to come to light. The next year, in the autumn of 1926, when the Public Accounts Committee dealt with the accounts of the year 1924-25, the Committee had before them the Audit and Appropriation Accounts of the Central Government for the year 1924-25, in which the Auditor General had summarised certain main features of the report of the special audit officer who had undertaken the audit of this work. Honourable Members will find in paragraphs 44 and onwards of the audit and appropriation accounts of the Central Government for the year 1924-25 this summary of the serious indictment which the audit officer brought against the administrative officers in charge. The nature of the financial irregularities will be evidenced from the following summary which is contained in paragraph 45 of that report. I am quoting from the summary:

“(a) Estimates were prepared on a very liberal scale. A large number of items were included in the estimates which were either not required or not actually carried out, the savings being spent on unauthorised works.

(b) The financial effect of the various schemes put up by the Executive Engineer was not so carefully worked out and scrutinized as it should have been.

(c) Very large sums of money were included in the estimates under ‘Establishment and Tools and Plant’ although very little was really required or actually spent under that head. The amounts thus provided were spent on unauthorised objects.

(d) The estimates were largely exceeded and in order to avoid any objection in audit the accounts were so manipulated mostly on a fictitious basis as not to reveal such excesses.

(e) Large sums of money were spent on unauthorised works without the knowledge or sanction of competent authority.

(f) Various other breaches of financial rules were committed, such as irregular payments to contractors, withdrawal of money from the treasury to avoid lapse of grant, expenditure not permitted by rules, etc.

(g) Fictitious adjustments were made to avoid lapse of grants or to conceal excesses over allotments or estimates.

(h) Funds sanctioned by the Government of India were irregularly supplemented either by sending bills to another disbursing officer to be paid from his ‘Manufacture’ grant or by raiding the Maintenance grant sanctioned for the Electric Power House and the running of pumps.”

Sir, it is also stated in this report that the work which was started in May 1920 was brought to a close in March, 1924, and that the whole scheme cost the public 35½ lakhs of rupees. Then the report proceeds to give specific instances. I do not suppose it is an exhaustive account of the whole thing, but perhaps certain prominent instances only are given in the report. I will not tire the patience of the House by going into all of them, but I will just mention a few instances to enable the House to realise the gravity of the whole position.

First of all let us come to paragraph 57 of the report. In this paragraph reference is made to an overhead water tank which had been sanctioned by Government at an estimated cost of Rs. 7,810. When

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this was completed it had taken the shape of a two-storeyed bungalow surmounted by a huge concrete dome, on the top of which was an electric light, 1,000 candle power strong, and the building was utilised as a club house for the officers, expensive staircases, billiard tables, electric fans and lights, etc., were provided, and the cost was Rs. 23,000, excluding fittings and electrification charges.

Now the Audit Report says:

"No sanction of any higher authority was obtained and the disbursing officer incurred this large expenditure on his own responsibility, additional funds required for the purpose being obtained in an irregular manner from various sources relating to the Improvement Schemes for which a large sum of money aggregating about Rs. 33,00,000 was placed at his disposal. No rent is charged for the use of the building as a club nor for the electric installation, and electric current is supplied free of charge."

Now let us come to another instance. An electric power house was set up on the plea that if the monsoon failed, then for a period of six weeks in the year electricity might be required to work the pumps. A period of six weeks in twelve months in case the monsoon failed! And look at the manner in which this was executed. Honourable Members will find reference to this in paragraph 89, as also paragraph 67 of the Audit and Appropriation Report for 1924-25. For the maintenance of an electric power house a large sum of money was placed at the disposal of a certain disbursing officer. The name is not mentioned in this report at all, but it is an open secret that this disbursing officer was the officer with whom we are just now dealing.

Now what happened afterwards was that the electric installation led to the free supply of current to all officers' bungalows. Not only that, the officer in charge undertook an extension for several miles in order to reach a particular station on the Bombay, Baroda and Central India Railway where power was supplied to the Railway Company at the rate of 2 annas 6 pies to 3 annas per unit, whereas the cost of generation was 6 annas per unit. Then, again, another electric line was taken to a neighbouring city and there also electric energy was supplied at between 2 annas 6 pies to 3 annas, whereas the cost of generation was 6 annas. Then, again, a third electric line was extended to a garden of a particular individual and the cost was debited to the maintenance grant of the power house. Then, there is the fourth instance in which the current was supplied to a railway station master free of charge. All this was done without any sanction whatsoever, the main pretext for setting up the generating plant being that electric energy might be required for six weeks in any year when the monsoon might fail. Now, when this quantity of electricity was supplied to these private parties at below cost price, it was found that the maximum generating capacity of the plant had been exceeded, and therefore some additional machinery had to be installed again. Now, Sir, this additional machinery was installed for the purpose of enabling the Bombay, Baroda and Central India Railway, and other private parties to continue to enjoy the supply of electricity at half the cost of generation.

But we have yet to come to more serious charges. Certain works which are alleged to have been undertaken by the officer himself and executed departmentally, were shown as having been executed with the

help of contractors. And in the accounts, contractors' bills were actually fudged, that is to say, bills were produced from people describing themselves as contractors who had never been near the works and who had never done anything in connection with the works. They were made to submit fictitious bills, and fictitious receipts also were taken from them for the amounts spent. Honourable Members will find a reference to this case in paragraph 46 of the report. Then, in paragraph 51, Honourable Members will find reference to certain items for which no expenditure was actually incurred nor was there in existence any sanctioned estimate. There is, for instance, the item relating to the wind-mill which is set down at Rs. 5,000, a wind-mill which is absolutely non-existent. Then, Sir, coming to paragraph 60 of the report, the House will find a reference to what is called the copper coin contractor. I am told that the services of a contractor were required for the purpose of distributing small change to the labour force employed there and that was known as the copper coin contract. This is what the report says:

"When this contractor had originally tendered for the Through Traffic contract for the year 1920-21, he had given two rates, viz., Rs. 17/4 per thousand maunds if the contract was for one year only and Rs. 17/8 per thousand maunds if the contract was for 3 years. There were other contracts also though this particular tender was accepted for one year only, but instead of accepting the rate of Rs. 17/4 per thousand maunds as quoted by the contractor himself, he was given the higher rate of Rs. 17/8 per thousand maunds."

Then, again, this contract was extended for two years more and the rate was increased from Rs. 17-8-0 to Rs. 24 without calling for fresh tenders, and the Audit Officer estimates the financial effect of this as a loss of Rs. 76,000. When this matter was brought to the notice of Government they said that the head of the department had committed an error of judgment in this case, and he was informed accordingly. Sir, it was an error of judgment which cost the Indian tax-payer Rs. 76,000. I do not know whether the Government even cared to get an explanation as to why the contractor was given a higher rate than the one he had actually asked for and why, again, this rate was increased much more when an extension was next granted. Sir, I do not want to go into any further specific instances mentioned in the audit report, but I believe I have said enough on this subject to give the House an idea of the various serious charges that have been brought by the Auditor-General's officers and which charges, I may mention, are practically admitted *in toto* by the Government, although they have attempted to whitewash the officers concerned.

Now, Sir, when this state of affairs was brought to the notice of the Public Accounts Committee which sat in the autumn of 1926, it recommended by a majority that the matter should be thoroughly investigated by the next following Committee in the autumn of 1927. This is what the Report of the Public Accounts Committee on the accounts of 1924-25 says in paragraph 27 on this subject:

"Some members of the Committee were inclined to think that in view of the difference of opinion which have been disclosed between the audit authorities and the Salt Department and of the fact that the Government of India are involved in the question of the insufficiency of the control exercised from headquarters, the most suitable method of dealing with the case would be to appoint a special committee of investigation. The majority of us, however, are of opinion that the matter, which is

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of outstanding importance, should be left over for a thorough investigation by the Public Accounts Committee of 1927 when all outstanding points have been cleared up and the views arrived at by the Government of India after examination of those facts are on record."

I am told that the "majority" referred to here included the Honourable the Finance Member who was the Chairman of the Public Accounts Committee at the time. Now, Sir, when the Public Accounts Committee of 1927 met in Simla last autumn, they naturally wanted to go into this matter and carry out that obligation which was laid upon them by their predecessor. But, Sir, for some time we were told that the Government were still considering the matter, and that it would not be right for the Committee to go into this question until and unless the Government had come to their own conclusions in the matter. It was at the far end of the Committee's meetings that they were supplied with a memorandum by the Deputy Secretary, Central Revenues, which gave a summary of the orders of the Government of India in this matter. I will read out just a few passages from that memorandum to show what the attitude of the Government in this matter is. This is what we find in this memorandum:

"The Government see no reason whatever to suppose that Mr. Bunting has wasted public money or that his schemes have not proved beneficial. Figures have been furnished which show that they have stabilized the production of salt at Sambhar, formerly so precarious and fluctuating, and the Commissioners claim that they have helped to solve the labour problem there would appear to be well founded. They have rendered working more economical in some respects, and have obviated the necessity for pursuing the brine all over the lake area, by means of hastily constructed temporary canals in the old manner. It is important to remember that it is the stabilisation of output and simplification of manufacture that they were designed to secure rather than any direct financial yield."

Now, Sir, the Honourable the Finance Member had evidently not looked up the statements made by Sir Thomas Holland and Sir Charles Innes in the Legislative Assembly in 1921 and 1922, because if he had done so he would have seen that it was definitely claimed that this improvement scheme would result in a larger output and a reduction in the price of salt. Now the Government turn round and say, "Well, these were not the results aimed at; what was aimed at was stabilisation of supply". Now, Sir, I definitely maintain that even if this stabilisation has been achieved, the irregularities which have been brought to light cannot be condoned. Supposing even that this improvement scheme had resulted in actual economy of expenditure and had led to a reduction in the price of salt, even then I maintain that having regard to all the irregularities of the grossest character that have been brought to light Government are not justified in trying to white-wash the officers concerned.

Sir, I will examine now the Government defence as to whether the scheme has been generally beneficial, whether the output has been standardised and whether there has been no loss to the tax-payer. As to the financial effect of this scheme, I have only to refer to the letter of the Auditor General accompanying the Audit and Appropriation Accounts of the year 1925-26, where he points out that the Sambhar Lake salt works were responsible for a net loss of about 4½ lakhs in the year 1925-26. Government have attempted to meet a portion of this loss by actually putting up the price of salt by 3 pies per maund, and even then there is a deficit. This is the net financial benefit of the improvement

scheme. It will be remembered, Sir, that the improvement scheme has cost 35½ lakhs. If we take interest on this amount at 5 per cent., depreciation at 2½ per cent., maintenance and increased establishment charges at 2½ per cent., say a total of 10 per cent. which has been added to the cost of manufacture nearly by reason of the improvement scheme, we find that this comes to about 3½ lakhs. These recurring charges consequent upon the improvement scheme amount to 3½ lakhs out of a total deficit of 4½ lakhs mentioned by the Auditor General in his letter. Therefore, Sir, I do not think my Honourable friend would be quite right in seeking to defend his officers on the plea that the scheme itself had proved beneficial to the tax-payer. Now let us see whether the element of uncertainty in the output has been removed, and whether the quantity has been increased or whether the output has been stabilised. In this connection Mr. Lloyd giving evidence before the Public Accounts Committee in the autumn of 1926 claimed that the output had been increased to the extent of 66 per cent. I do not know where he got that figure. I have a great respect for Mr. Lloyd who was a valued colleague of ours in the last Assembly; otherwise I would have said that he actually tried to bluff the Public Accounts Committee when he made these statements. Mr. Lloyd, after referring to the 66 per cent. increase in the production, went on to compare the output for certain periods. He first of all took the periods for the years 1921-22, 1922-23, 1923-24 and 1924-25, and then he compared these figures with regard to output with what he calls the "first 5 years", and he pointed out the great divergence between the quantity produced in what he calls the first 5 years and these few years when the improvement scheme was actually in operation. Now I have failed to get confirmation of the figures quoted by Mr. Lloyd for what he calls the first 5 years. I have looked through the statistics of the past twenty years and I have failed to trace the source of Mr. Lloyd's information on this point. I have myself tried to work out these figures and will give the result to the House. I think that for a proper understanding of the position, the period when the improvement works were actually in progress should be excluded, and we ought to take a period just preceding the undertaking of the improvement scheme and compare the figures for that period with the figures for the period following the completion of the improvement scheme. Thus, Sir, I have taken the figures for the three years preceding the improvement scheme, 1918-19 to 1920-21, and the average annual output works out to about 58 lakhs of maunds. I have next taken the three years succeeding the completion of the improvement scheme, that is to say, 1924-25 and 1925-26, and 1926-27. Figures are available for 1924-25 and 1925-26 in the published reports, and I am obliged to the courtesy of Mr. Sundaram for the figures of the next succeeding year, that is, 1926-27, for which reports are not yet available. When I strike the average I find that the average annual output for this triennium stands at 56 lakhs as against 58 lakhs of the pre-improvement period. Now, Sir, even conceding that the rainfall has anything to do in the matter of determining the output, I have also compared the average rainfall in these two periods. The average annual rainfall of the three years preceding the improvement scheme was 17 odd inches and that succeeding the improvement scheme was about 20 so that it cannot be said there was any shortage of rain. As a matter of fact the rainfall had increased by about 3 inches on an average during the succeeding period. Now, where is the standardisation and where is the

[Mr. K. C. Neogy.]

stabilisation of the output? I hope, Sir, my Honourable friend when he gets up will be able to justify the figures which Mr. Lloyd quoted at page 101 of the evidence volume of the Public Accounts Committee's Report on the accounts of 1924-25.

Now, Sir, ...

Mr. President: Order, order. Will the Honourable Member have regard to the Standing Order regarding time limit?

Mr. K. C. Neogy: I am extremely sorry, Sir. I will not take more than one or two minutes. The scheme can be viewed from two aspects: first of all, as stabilising the output, this, as I have already pointed out, has not been achieved, secondly, as furnishing improved mechanical transport, for which great merit was claimed by Sir Thomas Holland. He said: "Give me the money and I will have mechanical transport which will effect great saving in expenditure". I may mention that in the Audit and Appropriation Accounts of the year 1924-25 specific mention is made that this haulage system has resulted in a net loss to Government. The report says:

"As a matter of fact it appeared that an annual loss of over a lakh of rupees is being incurred on the transport and storage schemes."

That is the financial effect of the mechanical transport.

Sir, I have already taken too much of the time of the House, and I only hope that after listening to me the Honourable Members who are free to vote in this matter will all support me. I claim that I have made out a very strong case for a further inquiry into this matter, an inquiry which was recommended by the Public Accounts Committee in the autumn of 1926 to be made by the Public Accounts Committee of the autumn of 1927 and which inquiry was not allowed to be made by the Honourable the Finance Member.

Mr. E. F. Sykes (Bombay: European): Sir, I regret I am not able to support the motion of my friend, Mr. Neogy. (*An Honourable Member:* "Why not?") I have very excellent reasons for not being able to do so. If, as Mr. Neogy has made perfectly clear in his speech, the financial irregularities that he refers to in his Resolution are thoroughly well known, I do not think that we require any further information on the subject. But as a matter of fact what Mr. Neogy has been addressing us about is largely not about financial irregularities which are admitted on all sides, but the technical aspects of the scheme which is a little too complicated to be dealt with in this House. (*An Honourable Member:* "That is why we want a Committee.") We require a Committee if there are any facts that it is necessary to bring to light. The financial irregularities that have been alleged in this case have been thoroughly investigated by the Auditor General: three Committees would not bring out any more information on the subject. As for the rainfall at Sambhar, that is a matter not so much for a Committee of this House as for technical experts; and the advantages of mechanical transport is not exactly a suitable subject for a Committee of this House. But, though I am not able to support Mr. Neogy, I think he has done a service in bringing this motion before the House because the House very rarely gets an opportunity of seeing the inside working of public departments. Now, Sir, I have never belonged to any of the regular

Government services: but from time to time I have done a little work for them; and elsewhere than in Government service I have been working under the financial rules of public departments and I am therefore able to speak with a certain amount of inside information.

I think there is one point in Mr. Neogy's speech which he might have enlarged a little on: he might have congratulated the House and the country that in spite of these gross financial irregularities the whole work appears to have been carried out in perfect good faith and honestly; and he might have congratulated the Government and the country on having such a body of servants at its disposal

Mr. K. C. Neogy: Who says that? How do you assume it?

The Honourable Sir Basil Blackett (Finance Member): The Auditor-General.

Mr. E. F. Sykes: If there had been any suspicion to the contrary I am quite sure we should have heard of nothing else.

Mr. K. C. Neogy: It should be a matter for the police—the C. I. D.

Mr. E. F. Sykes: Another point which Mr. Neogy made he might have made a little clearer to the House. I do not know what his experience was in those years; but to put it very shortly everybody was a bit mad. I myself had rather an interesting experience of the matter, because in the year 1919 I took over the control of the works on the Tigris and attempted to reorganise it on the lines of the Punjab Irrigation Department. I cannot detain the House with the details of it, but it was a most extraordinary thing that in the course of four or five years of the war all the good principles that had been instilled in officers during their long service in India had totally evaporated and we had to start afresh and get them round to the regular system. As a matter of fact these facts are perfectly well known to anybody who was concerned with the Finance Department and the application of its rules to the administration of occupied territory. It is very important to note that at that time everybody was full of a spirit, that is now evaporating, that it was necessary to get things done, and the only thing that mattered was to get them done effectively and that all these questions about procedure and form might be disposed of at leisure.

Well, Sir, as I said, I think perhaps Mr. Neogy has done a service in bringing this matter before the House. I think it is pretty clear that as far as the financial irregularities are concerned, it is not necessary to hold any further inquiry. The facts are there. The matter that is really before us is to assess the significance of these facts and to propose remedies against their recurrence. Now, Mr. Neogy, perhaps not having exactly the same kind of experience as I and many other people have, would not quite see what the inference was. The Public Accounts Committee has quite clearly explained that the trouble was that there was not sufficient office staff at hand and the engineer was overworked and he had no financial advisers or staff to see that the accounts were kept in proper order. Of course there was a good deal in this particular case that was irregular; but if I were to explain the case fully to the House I shall have to go over a very long period and take a long time. The facts, however, are briefly these. If you go back twenty years, you would find that an officer in this position would have had two books only to guide him; with the exception that for personal matters the Civil Service Regulations would be his complete guide; and these two books having been compiled at the

[Mr. E. F. Sykes]

same time and by the same people were quite congruent and you would not find any conflict between one and the other. Now, something less than twenty years ago, new elements came in. Civil accounts and Public Works accounts were amalgamated; so we got another book or two. Then nothing particular happened until the post-war forms came in; and then the officer got something worse than books—he got Devolution Rules; and in place of these two original books he had two books, one the Public Works Code, and the other the Public Works Accounts Code, compiled by different authorities and differing in many respects. For example, if you take those two books and look up the definition of the word “contract”, you find that that word is defined differently. So the accumulation of differences of this kind makes the determination of the form in which work is to be represented extremely difficult. I could quote a lot of cases which you might find sad or which you might find amusing. If a perfectly simple order in one of these books is to be acted on by an officer, he finds that he has often to pursue the matter through several books and finally finish up in the Devolution Rules and the canons of financial purity. I do not know if the House is really interested in these details, but to many of us they are very interesting. However, that is the position, that instead of having a single code for use, an officer has got to handle a large number of books which were compiled at different times by different people with different objects, and he is bound by all of them, and there is no one to tell him except the financial authorities which are the authoritative works

I think Mr. Bunting's position was that of an Executive Engineer and the financial adviser of an Executive Engineer is also the accountant! One of the most anomalous things that strikes any one who is concerned with this department is the fact that no technical subordinate is allowed to exercise his functions unless he has been to a technical college and received due technical instruction. The financial adviser of the Executive Engineer and divisional accountant comes in to the service by various ways, but the one thing that can be said of him is that he has had no specific training to enable him to perform his duties. The consequence is that you find that many of them by their natural abilities and industry become highly professional; but there is no guarantee that all of them will do so. Further I may point out that if you go higher in the service, you find officers may be appointed to the Audit and Accounts Department without the least training of any special kind in accounts and, as a result, an Engineer may or may not receive suitable advice about his accounts. Now, people will say “This is all very well, but though audit officers and accountants are provided by the Government, still officers have their own responsibility and it is their business to know what they are doing.” It is very desirable that these technical officers should spend as little time as possible in dealing with accounts matters and should have reliable advice handy. When we consider the technical qualifications demanded of Engineers, Health Officers and in fact every class of technical officer, I think you will admit that what is demanded in the accountants of the Finance Department is a little meagre, and that this is a matter which calls for the attention of the Finance Department.

Now, Sir, two points seem to me to have arisen in this case. One is that the regulations under which officers are expected to avoid financial irregularities are not the best and call for reform, and, secondly, that the

financial advisers, both officers and accountants, might perhaps be better trained than they are. As I said, Mr. Neogy has done a service in laying this matter before the House and in formally bringing it to the notice of the Government.

The Honourable Sir Basil Blackett: Sir, I desire to intervene at this point because I want, if possible, to shorten the discussion. Mr. Neogy desires that a special Committee should be appointed to go into what is known as the Sambhar case. The investigation of the Sambhar case has extended now over four years. It has been very fully investigated. In the beginning there was a very considerable difference of opinion between the Auditor General and the departmental authorities. That was the condition of affairs when the matter first came before the Public Accounts Committee. It was also the condition of affairs when the Public Accounts Committee recommended that the matter might be left over for thorough investigation by their successors. In the course of the year 1926-27 those investigations were more or less completed. On 26th May of 1927, that is, two months before the Public Accounts Committee sat, a full Resolution of the Government expressing its conclusions was issued, and that was before the Public Accounts Committee throughout the whole of the Session last summer. There was some delay in obtaining the actual files to put before the Public Accounts Committee last summer, but that, I think, is the extent of the complaint of the Public Accounts Committee as to its treatment in this matter. Eventually the Auditor General expressed himself in full agreement with the conclusions of the Government of India on the subject.

Mr. Neogy has chosen in making his case to make no distinction between charges made by the Auditor on the spot, which were disproved, charges which were pressed and charges which were disproved. Some of the charges that he has read out were charges that were definitely disproved, and that, I think, makes it rather difficult to deal with the whole case without perhaps reading the whole of the Government Resolution on the subject, which I do not want to do. I would, therefore, try and summarise.

My main point is that there is nothing left to investigate. The whole thing has been very thoroughly investigated, first of all by the Auditor on the spot. It was examined in thorough detail by the Central Board of Revenue and finally settled by the Government of India, and the Government of India issued a Resolution. There is nothing even in the original Audit Report to suggest that this was like a Back Bay scandal or something of that sort or anything of that magnitude, and if Mr. Neogy is right in saying that this is a most important financial scandal that had come before the Public Accounts Committee since its inception, then I think it is very high praise for the Government of India since the inception of the Public Accounts Committee.

This case is a very peculiar one. You have an officer, Mr. Bunting, who is an exceptionally able engineer. He has, as a matter of fact, received a gold medal for his report and for his work at Sambhar from the Institution of Civil Engineers in London. Nevertheless, when the Government came to look into the way in which he had kept the accounts there was very little that the Government could defend. There is no doubt that he was thoroughly in earnest to make the very best job of the improvement of the Sambhar Lake that he could and that he was wholehearted in his

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desire to serve. But when it came to keeping accounts, estimates were largely exceeded, works were undertaken without budget provision and without sanction; works actually executed were financed indiscriminately from any source whatever. If work included in a sanctioned estimate was omitted, or plant of which the purchase had been sanctioned was not bought, the funds thus released were diverted to other purposes without any formalities whatever. If expenditure in excess of an estimate, or necessitated by work done without an estimate had to be met, it was met by simply debiting it to any work for which there was budget provision. Work connected with the improvement scheme was financed from funds provided for the ordinary manufacturing operations and *vice versa*. Obviously there was nothing that Government could defend or desire to defend in the financial conduct of the operations. Nevertheless, here was an officer of very distinguished engineering capacity who had produced a work the value of which I shall come to in a moment.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadian Rural): What about the falsification of accounts?

The Honourable Sir Basil Blackett: There was no falsification in the sense of misappropriation of funds. What actually happened was that he kept his books in a perfectly open way and they were there when the Auditor came along to see them and no attempt was made to conceal anything. But, as Mr. Neogy pointed out, the books showed the water tower entered as a charge against the cutting of a canal or something of that sort. You may call it falsification.

Mr. K. C. Neogy: What about the club house?

The Honourable Sir Basil Blackett: The Honourable Member, Mr. Neogy, keeps introducing separate matters which have all been fully investigated and in the case of some of which his charges are distinctly untrue. Mr. Neogy repeated the wild remark he made on a previous occasion to the effect that the main reason for the electric installation was to pump water for about 6 weeks in the year when there is a scarcity of rainfall. I do not know where that came from unless it was one of the charges originally made somewhat intemperately by the Auditor—not the Auditor-General but the Auditor—which was afterwards withdrawn. The fact is that there are somewhere about 18 pumping stations. The majority of these are working for the greater part of the year. Every year they work throughout the manufacturing season pumping from the main reservoir into the smaller reservoirs and from the smaller reservoirs into the pans. The season may normally be put at six months. They work for a considerable time in the off season pumping the bitterns back into the main lake. The two big pumping stations are working every year but only for about six weeks in the year to pump brine from the main lake and the big reservoir.

Pandit Hirday Nath Kunzru: May I ask whether the statement in the Audit and Appropriation Report for 1924-25 that the electric installation is needed for pumping water for about six weeks only is correct or not?

The Honourable Sir Basil Blackett: That is one of the allegations which is entirely incorrect.

Mr. K. C. Neogy: When was it shown to be incorrect?

The Honourable Sir Basil Blackett: The Honourable Member must excuse me. The difficulty we are in is that he is trying to re-open the whole of a very technical and long investigation which took over four years. The final result of that examination is that the Auditor General has stated that he is entirely satisfied with the action taken by the Government. The action taken by the Government was embodied in the Resolution which contains a pretty severe censure on Mr. Bunting for his irregularities. Mr. Bunting having some time ago left the Government service altogether we are now asked to have a new Committee and I am in difficulty to know what it is to inquire into. There is no dispute now as to facts between the Auditor General and the executive authorities. So far as the whole of that side of the question is concerned, it is quite clear that there is nothing left to investigate, and I may add that the Public Accounts Committee concurred in this view. I do not understand why Mr. Neogy, who is a member of the Public Accounts Committee and signed that report, should now say that he wants an investigation.

Mr. K. C. Neogy: Where is that? Read the whole paragraph.

The Honourable Sir Basil Blackett: Last year's Public Accounts Committee's Report, "The Committee endorses this action on the part of the Government."

Pandit Hirday Nath Kunzru: Would the Honourable Member mind my interrupting him again in regard to the period during which the pumping operations

The Honourable Sir Basil Blackett: No, I really cannot be expected to answer detailed questions. Obviously the House is not the place for an examination of that sort. The examination has already been completed.

I have no quarrel with Mr. Neogy for bringing this matter before the House, because it is a case in which there is nothing whatever to be said in regard to the irregular method of keeping accounts. But Mr. Neogy went on to try and justify his inquiry by desiring an inquiry into the financial results of the scheme. That is something quite different.

Mr. K. C. Neogy: What about your condonation of the officer's conduct?

The Honourable Sir Basil Blackett: I do not understand.

Mr. K. C. Neogy: You sought to condone the officer's conduct on the supposition that the scheme would lead to beneficial results. That is the reason why I was led to make these observations.

The Honourable Sir Basil Blackett: I do not think the Government sought to condone the action of the officers. As I have stated, they have censured it very severely. But that is quite a separate thing from the question whether or not the result of the scheme has been successful. Now, I took the trouble myself during the time when this question was very active to go to Sambhar and examine the thing on the spot. I do not mean to say that I was competent to judge the result, but I think Honourable Members should remember that the Central Board of Revenue and I myself and others have taken a great personal interest in this in order to see that the case was investigated right up to the hilt.

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Now, as regards the financial results, it is true that there have been some rather loose statements as to the purpose for which this scheme was originally started. But it is perfectly clear really that the object of the scheme was to stabilise output, which had fluctuated violently between one lakh and 100 lakhs in the past and to provide a remedy for the labour difficulty. Mr. Neogy said nothing about the labour difficulties. The records of the period when the scheme was started abound with references to the labour difficulty and they were very real indeed. The labour force, from whatever cause, was melting away. Apparently a bad agricultural season in 1918 did something to stay that outflow. That these labour difficulties have been overcome is due primarily, or very largely, to the formation of the Gudha Co-operative Society, which, by the by, was for a time the subject of attack by the same auditor, accompanied by a general substitution of contract work for departmental work. But the Co-operative Society's success is due in large measure to the development scheme, which rendered the work of extraction less onerous by reducing the average lead and concentrating the work of despatch so that coolies had no longer to trudge or be conveyed long distances over a burning desert to load salt from isolated heaps. The water supply part of the scheme has also had its effect. Certain labour saving devices that Mr. Bunting had not had time to get going were contemplated, such as mechanical excavators and automatic weighing and bagging machines.

As regards the question whether the scheme has stabilised output, in the 8 years before the scheme was started, 1912-13 to 1920-21, the output was for one year in the neighbourhood of 20 lakhs, for three years in the neighbourhood of 45 lakhs, for two others about 70 lakhs of maunds, and in one particular year well over a crore. That is one of the two years that Mr. Neogy, as far as I can see, has taken to get his average—the one year in which the output was over a crore, that is, the year 1918-19. The remarkable figures of that year were the result of the aftermath of floods in the previous year, which left a supply of brine over from one season to the next. Since then, owing to disastrous floods in certain years there have certainly been fluctuations, and until we can control the quantity and distribution of the rainfall it looks as if fluctuations must continue. But the margin of fluctuation has been very greatly reduced and the average production per triennium is higher than it was before the scheme was started. It is probable that the period during which the scheme has been in operation is too short to enable an accurate estimate to be made as to how far it has actually achieved stability, but I do not see how a committee of investigation is going to discover how far the future is going to justify the past. It is our present belief that the result has been the stabilisation of output, and this result is clearly to be attributed to the scheme. It seems obvious that the system of reservoirs and pans which, to quote the Government orders, have obviated the necessity for pursuing the brine all over the lake by means of hastily constructed temporary canals and have rendered it possible to concentrate, conserve and utilise to the full even a scanty supply of brine must have had a very beneficial effect in stabilising output. Now these manufacture works taken alone were not relatively costly. The total cost of the scheme as a whole is about 35 lakhs and these particular works account for about 10 lakhs.

When we come to financial results on which Mr. Neogy dwelt, it must be remembered that the Government's object in producing salt is to produce it in order that it may be sold *plus* duty without profit or loss as regards the manufacturing price. As the House is aware, we have recently in the last few years been able to get commercial accounts or approach the obtaining of commercial accounts for salt production and it is only gradually as we get these commercial accounts that we are able to find exactly what the profit or the loss of any particular manufacturing station is. Mr. Neogy quoted a statement that the loss was so much, but he did not compare it with any previous figure, and he seemed to assume that this scheme was the cause of the loss. Everybody is aware that the price of labour has been going up steadily in recent years, and it is quite natural that the cost price of manufactured salt has tended to go up also. As I stated at the beginning, is an extraordinarily difficult case to argue in open House because immediately one makes some statement a question is put about something else. I therefore take my argument back to the main point. Mr. Neogy asks for a Committee to investigate a matter that has been the subject of very full investigation by the Audit Department and the Government over a period of four years in which after starting with considerable differences of opinion the Auditor General has satisfied himself in regard to all the points originally in dispute and in regard to all the charges made by the Auditor General against Mr. Bunting and others has come to the conclusion that the Government have taken sufficiently severe action in dealing with Mr. Bunting in the matter. I submit therefore that there is no case for a new un-official inquiry by Members of this House or by any other body which would merely be raking up past troubles of which there has been a full investigation the results of which have been fully accepted by the Auditor General and ought to have been accepted therefore, I think, by the Public Accounts Committee and by this House.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, it is a pity that this House is not allowed an opportunity to discuss the recommendations of the Public Accounts Committee. Although I know the Honourable the Finance Member has his sympathy with us in this matter, so far this House has never had any opportunity, when the Report of the Public Accounts Committee was submitted, to discuss that report. If we can discuss this, then it will be possible for us, with regard to various financial irregularities and disciplinary action that the Public Accounts Committee on various occasions recommend, to take them up and to bring them before the House. The Honourable the Finance Member told the House just now that Mr. Neogy and the other members of the Public Accounts Committee did not raise any objection in the Public Accounts Committee. I was a member of that Committee, and I will just quote a paragraph showing how we in that Committee were very anxious that we should carry out the inquiry as was recommended by the Public Accounts Committee of 1924-25 and how we were not supplied with the necessary papers or necessary opportunity to go into the matter. In paragraph 15 of the Report of 1925-26 the Committee said this:

"While the Committee endorse this action on the part of Government, they desire to record their regret that the Government did not find themselves able, within the time at the disposal of the Committee during its sittings, to afford them the opportunities for making a thorough investigation into this matter. The seriousness of the case is difficult to exaggerate, but the only materials placed before the Committee are

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a summary of the findings of the Auditor as given in the Audit and Appropriation Report for 1924-25, the evidence of Messrs. Lloyd and Fergusson given before the last committee in which the findings of the Auditor were challenged, and the summary of the conclusions of Government. In these circumstances, the Committee have not been able to carry out that thorough investigation, which was laid upon them by their predecessors in paragraph 27 of the Report of the Public Accounts Committee for 1924-25.

They moreover feel that the materials placed before them do not enable them to endorse the view that the scheme as a whole has been proved to be to the public advantage. They also feel it their duty to state that in their opinion the Government have taken a lenient view of the conduct of the Heads of the Department and of the Executive Engineer. His 'motives' may have been excellent as the Government state. But the reckless disregard of rules and the manipulation of accounts disclosed in the audit report would on the canons adopted in regard to public accounts in England, merit much stronger punitive action than what the Government have, because of his retirement, been disposed to take against him."

Well, Sir, that was the view that we arrived at. Of course the Honourable the Finance Member, who was the Chairman of our Committee, was not a party to this recommendation because there is a footnote to it as follows:

"As Member of Government in charge of the Finance Department, within whose province the Northern India Salt Department is included, I thought it desirable to take no part in the discussion of the Committee's conclusions in regard to this case."

Well, since then my Honourable friend the Finance Member referred to a Government order on the 7th January wherein it is mentioned that there was no necessity of any further inquiry as the Auditor General and the Government are satisfied with the investigations already held and steps taken in the matter. But I stand on my statutory rights. If the Public Accounts Committee recommended that certain things should be investigated by the next Public Accounts Committee, there was no necessity of evading that, and our contention is that the punitive and disciplinary measures the Government have taken are not adequate. Sir, to me it seems that Mr. Bunting did prove to be a Prince Charming in these localities and had been distributing free electricity to station masters, . . .

The Honourable Sir Basil Blackett: Will the Honourable Member allow me to interrupt him? I hope he will not continue to make statements about charges which have been investigated and found incorrect.

Mr. B. Das: We are not satisfied with the investigation, and that is why.

The Honourable Sir Basil Blackett: The Auditor General has stated that he is fully satisfied. I think the Honourable Member may take that at any rate as a reason for not repeating on the floor of this House charges for which he has no other foundation than that of an investigator who has been proved, and quite to his satisfaction proved, to be incorrect.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

Mr. B. Das: Sir, I should be the first man to agree with the Honourable the Finance Member that we may absolve the Executive Engineer and the Commissioner of the Salt Department of any charges made against either of them, but we stand on our rights that that investigation should

have been done by the Public Accounts Committee, and as it was not done, I suppose that is the reason why my friend Mr. Neogy has made the suggestion that a special committee be appointed. I would just state to the House that this is not the only scandal that was exposed during the last two or three years in the course of the investigations of the Public Accounts Committee. I will just refer to the Delhi stores and stone-yard scandal. In paragraph 14 (1925-26) they recommended :

"The question of the adequacy of the disciplinary action taken in this and the other cases noticed in the Report raises several issues of far-reaching importance in regard to disciplinary action generally which merit detailed consideration at our hands."

And we did ask the Government to standardise these disciplinary actions. In paragraph 38 of that Report it was recommended :

"We endeavoured to obtain from each departmental witness who appeared before us the basis on which punishment had been awarded in every case of financial irregularity relating to his particular department and brought to our notice in the Audit and Appropriation Reports. We admit that in cases of this sort, the efficiency of the department, the rights of the public, the interests of the taxpayer, considerations of equity and justice have all to be taken into account in varying degrees and that it is difficult, if not impossible, to attempt to formulate rules of general application. But at the same time the absence of any guiding principles is the cause of apparent and invidious differences of treatment."

We also recommended that Government should standardise the system of disciplinary and penal action against delinquent officers who commit errors of judgment in financial matters.

Sir, my friend Mr. Sykes has also dealt with the same matters. He said it was not a matter of financial irregularity, but of technical details. At the time when these things happened, the Executive Engineer happened to be an officer who had put in a lot of service in the United Provinces and he ought to know how accounts had to be kept under the Public Works Manual. It is true that the Finance Department was not examining the accounts at the time and the accounts staff was under the Executive Engineer. But the same thing happens in the Public Works Department where the engineers keep strict accounts under the Public Works Manual. Why then this irregularity? If he managed to transfer heavy sums from the account of Government to his own private accounts in the Alliance Bank and other banks and disbursed them as he liked, I think it was gross negligence of duty on his part. And when did he resign? When this matter came before the Government and the Public Accounts Committee and when they investigated these things, the officer suddenly resigned. I still think he is drawing a pension from the Government of India. If that official broke all the rules and regulations that officials have to abide by, then I think steps must be taken, when he is drawing a pension from the Government, to give him a deterrent punishment even now. That is my contention. That is why some of us on this side maintain that in the different Railways there should be no separate accounts department under the Railway Agents, as the same thing might happen there and heavy defalcations of public money might take place. My friend, Mr. Sykes, who himself admitted that he was in semi-Government offices, said it was very difficult for an official to stick to the rules that are provided for his guidance. But the recent scandal in the Bombay Development Department, the stone-yard case and this case bring the matter prominently to the notice of the public and emphasise

[Mr. B. Das.]

the fact that there should be some strong method of taking disciplinary action against officials who mismanage public funds; the officers may not misappropriate money themselves, but through their negligence money is mismanaged.

Mr. Neogy alluded to the electrification scheme. I find there is a recommendation in the last year's Report to Government to enquire whether they can adopt some other system or method of pumping by which this huge and costly establishment for the electric scheme from the Sambhar lake cannot be done away with. It was a scheme which was not introduced so much for increasing the efficiency of the works as to give free electric lights to the officials that were there; and as my friend Mr. Neogy has observed heavy expenditure was and is being incurred on electric lights being supplied to the Bombay, Baroda and Central India Railway at half the cost of generation. Government say that they cannot take any action against the official concerned as he has left the service; but that the higher official has been censured. That does not satisfy this House.

Sir, I therefore support the Resolution so ably moved by my friend Mr. Neogy, and I suggest to the Honourable the Finance Member to refer the case to the next Public Accounts Committee or to have an independent committee of enquiry as has been insisted on by the Mover of the Resolution.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I have great pleasure in supporting the Resolution of my friend Mr. Neogy. Sir, it was my good fortune or misfortune to be a member of the Public Accounts Committee for both the years during which this question came up before the Public Accounts Committee. In 1926, when the question came first before that Committee, while examining Mr. Lloyd on this question, I made the following statement:

"We have heard Mr. Lloyd's statement that the subject-matter is quite a complicated one for this Committee to express an opinion upon. There are the statements of the auditor and it has been said that the auditor has made misstatements and has not appreciated the position of the officers. On the other hand, Mr. Lloyd put forward before us the difficulties of the officers. I feel therefore that considering the importance of this subject this Committee instead of going into these statements should request the Government of India to appoint an independent committee consisting of the officers of the department and the Audit Department to go into this audit report as well as into these statements made by the officers and make a report on the matter independently."

Sir, the reasons which actuated me to make this suggestion were these. I thought that the public servants in India should be, in the first place, protected against any attacks made upon them either for disregarding their duties or doing their duties in a wrong manner or doing things which are wrong from the moral point of view. Secondly, I thought that if we appoint certain officers to do certain duties . . .

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): May I draw your attention to the fact that there is no quorum? May I ask you to ring the bell?

(Mr. Deputy President asked the Secretary of the Assembly to ring the bell.)

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): On a point of order, Sir. There is no option but to adjourn the House under the rules.

Mr. Deputy President: It is in the discretion of the Chair.

(As the bell rang, a quorum was found to be in the House.)

Mr. Deputy President: Mr. Joshi:

Mr. N. M. Joshi: My second object, Sir, in asking for the appointment of a committee was that when we appoint officers to perform certain public duties and pay them well, it is certainly their duty to do their work well. And if they do not do their work well, it is our duty as their employers either to see that they do their work well or, if they do not do their work well, to deal with them in a proper manner. It is in the interests of the public service and also in the interests of the tax-payer that I made the suggestion that a Committee should be appointed.

Sir, I have read the paragraphs written by the Auditor in connection with this matter and I also took part in the examination of the witnesses that appeared before us on this subject. And whatever the Auditor and the Auditor General may say, the impression was left on my mind that in this affair there was something which was beyond what was written by the Auditor or by the Auditor General. Honourable Members who will read these paragraphs will not fail to confirm the impression that is left on my mind that if an investigation were to be made it is quite possible that things which have not appeared in the Auditor's report or in the Auditor General's report may appear during the course of the investigation. Sir, it is that impression which was made on my mind that has led me to make the suggestion that an independent committee should be appointed to investigate this matter. I was surprised to hear the Honourable the Finance Member state that if the irregularities pointed out by the Auditor or the Auditor General were the only irregularities that were noticed by the Public Accounts Committee, then he thought that this department deserved praise instead of being censured by this House. I think I am correct in my interpretation of the speech which he made this morning.

The Honourable Sir Basil Blackett: I do not quite follow the Honourable Member. What I said was that if this was the worst case that was noticed during the course of investigation by the Public Accounts Committee, then I thought that was a good mark for the Government of India.

Mr. N. M. Joshi: I think his statement comes to practically the same statement which I have made, namely, that he does not consider this a sufficiently bad case, and he thinks that if this is the worst case, then certainly the Government of India need not feel ashamed of their administration.

Now, Sir, in this case it is not only the Engineer or the Commissioner who is concerned, but in my judgment there is also some responsibility attached to the Central Board of Revenue which manages these departments and to the department of the Government of India under which the Central Board of Revenue works.

The Honourable Sir Basil Blackett: Does the Honourable Member realise that the Central Board of Revenue did not come into existence till after this work was in being?

Mr. N. M. Joshi: Well, Sir, I do not know whether the Central Board of Revenue came into existence or not, but at least there was the Finance Department of the Government of India.

The Honourable Sir Basil Blackett: It was not the Finance Department which then controlled the department under discussion but the Commerce Department of the Government of India.

Mr. N. M. Joshi: In any case, there was a department of the Government of India that looked after this matter, and I do feel that the Government of India themselves cannot escape responsibility in this matter. Irregularities of the grossest kind were committed by one of the departments under that Government. I need not dwell upon these irregularities. Nobody is here who will say that these irregularities are not irregularities. The Honourable the Finance Member himself has admitted that these irregularities did exist. There are certainly one or two of them which are bound to make the impression upon our mind that the conduct of the officers concerned in this matter is not quite as fair and honest as we consider it to be. There is the case of the head of the department, namely, the Commissioner, occupying quarters without paying any rent.

Mr. K. C. Neogy: For seven years

Mr. N. M. Joshi: For seven years. Now, Sir, this may be quite the act of a mad man as Mr. Sykes has said. He said that the people have gone mad.

The Honourable Sir Basil Blackett: May I point out, Sir, that the Honourable Member is now discussing totally different questions which have been fully investigated? The question of the occupation of quarters was settled in a way that leaves nothing further to be discussed. Besides these questions have nothing whatsoever to do with the subject under discussion.

Mr. K. C. Neogy: That shows the *bona fides* of the officer concerned.

Mr. N. M. Joshi: I am dealing, Sir, with the question that certain officers of Government were involved in this affair. Now, if the case which I am mentioning is not a case in which the same officer was involved, I am prepared to withdraw. But if it is the same officer, then certainly I have every ground for saying that on the whole there is some ground for suspicion that there was something wrong in this Department beyond what the Auditor has stated in his report.

Then, take the case of the officer who secured contracts as the President of a Co-operative Society.

The Honourable Sir Basil Blackett: May I Sir, ask your ruling on a point of order, namely, whether this debate should be confined to the desirability of investigating the question of the Sambhar scheme or whether it is right that the Honourable Member should bring forward a lot of disconnected subjects which have nothing to do with the Sambhar scheme?

Mr. Deputy President: I hope the Honourable Member will confine himself only to the financial irregularities.

Mr. N. M. Joshi: Well, Sir, I am confining myself to the financial irregularities, because I consider that it is a scandal that an officer of Government should secure a contract!

The Honourable Sir Basil Blackett: This has nothing to do with the Sambhar scheme

Mr. N. M. Joshi: It is not a case in connection with the Sambhar scheme

Mr. Deputy President: I think the Honourable Member should confine himself to the Resolution

Mr. N. M. Joshi: I am confining myself to the Resolution. Unfortunately it is difficult now to say, on account of insufficient knowledge, which case was related

Mr. Deputy President: If the Honourable Member does not possess sufficient knowledge, why should he make a speech?

Mr. N. M. Joshi: The object of the speech is to show that an enquiry is necessary

Mr. Deputy President: Then stick to the Resolution

Mr. N. M. Joshi: Therefore I am asking for an enquiry, because I do not possess the facts. There are impressions left in my mind and I want to satisfy myself that those impressions are wrong. If they are not wrong, then it is certainly the business of the Government of India to deal with those matters. I want sufficient facts, and I have therefore given that as an instance. If you think we should not make any enquiry about these matters, certainly there need then be no enquiry at all. But the impression is left on the mind of the reader of that Report and of the members of the Public Accounts Committee that gross irregularities were committed. We do not possess sufficient knowledge about these matters, and under those circumstances I do not know, Sir, what this House should do but to ask for an enquiry.

The Honourable Sir Basil Blackett: May I point out that all the cases which the Honourable Member is mentioning were fully investigated and reported on by the Public Accounts Committee. They were fully investigated, and they expressed their views on the subject. There is no question of an investigation into them. It has nothing, therefore, to do with the motion

Mr. N. M. Joshi: The Honourable the Finance Member certainly possesses more knowledge than I do, but as I stated in the beginning, it was either my good fortune or misfortune to deal with these affairs, and if I formed an impression after taking all this trouble that it is quite possible that after investigation is made something more than what has already appeared may be found out, it is my duty to tell this House that investigation is necessary.

Sir, as it is not possible for me now to mention the cases on account of your ruling, I confine myself only to the general question. That question is whether an enquiry should be made or not. I feel that an enquiry should be made, because whatever enquiry has been so far made was made by certain officers of Government. I do not suggest that these

[Mr. N. M. Joshi.]

officers of Government have not done their duty well. On the contrary I feel that those auditors who have reported on the subject have done their duty very bravely and very courageously.

Mr. Deputy President: I hope the Honourable Member will now bring his remarks to a close, as he has almost finished his time.

Mr. N. M. Joshi: They have done their duty courageously but after all they are officers of Government and they have to report to an authority which also controls that very department. The officers belong to the Finance Department and the complaint is also against that department. If, therefore, we want the matter to be investigated, it is necessary that the investigation should be made by an independent body.

I hope that this House will pass this Resolution.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber : Indian Commerce): Sir, it strikes me that this is not a question of what the Committee is to enquire into, whether financial irregularities or technical irregularities. A perusal of the Public Accounts Committee Report, Volume I, shows that even the Public Accounts Committee meeting held in 1927—I am reading from page 11, paragraph 15—were not satisfied that Government had put before that Committee all the material which was available to them. I do not remember whether my friend, Mr. Neogy, read the relevant part in his speech or not. If he did, I would just like to mention that the Committee have put on record that they were supplied only with the summary of the findings of the Auditor as given in the Audit and Appropriation Report for 1924-25, and the evidence of Messrs. Lloyd and Fergusson, and that even these reports were not made available to them in full. The final opinion of the Public Accounts Committee is that:

“ the reckless disregard of rules and the manipulation of accounts disclosed in the audit report would on the canons adopted in regard to Public Accounts in England merit much stronger punitive action than what the Government have, because of his retirement, been disposed to take against him.”

I understand the Honourable the Finance Member said that the officer who was responsible for this, and the officer whose action I understood the Honourable the Finance Member did not wish to defend had retired. To my mind a very serious question of principle arises here. An officer may be guilty either knowingly or innocently of the grossest of irregularities, and the only thing for that officer to do is to take his passage, sail home and retire on proportionate pension. It is this part which is the real issue and which is troubling Honourable Members on this side and also appears to trouble the Public Accounts Committee. Surely with such gross irregularities as have been shown by this officer, negligence which the Government of India have been content merely to censure without taking any more strict action, the House is justified in asking that some further enquiry be made to decide whether stronger and stricter action is necessitated by the conduct of this officer. I feel that where both sides of the House are agreed, both Government and the non-official side, that the action of this officer deserves the greatest censure, Government will not stand in the way of any further enquiry which the non-official section on the Public Accounts Committee may have thought fit, after the information which was available to them, to recommend. I expect Mr. Neogy is not insistent that there should be an

Enquiry Committee, if the Honourable the Finance Member would agree to have this question referred back to the Public Accounts Committee. But simply to say that Government has passed a vote of censure on this officer is hardly a line of action which can be considered to be deterrent in a question where the exposure of irregularities and what not appear to be as serious as has been admitted. I do hope that Government will not try to screen the officer if the Public Accounts Committee members and Mr. Joshi and Mr. Neogy, who have been two of the most senior members of that Committee, have the impression that before that Committee sufficient material was not made available to come to a decision whether strong action was necessitated or not.

The Honourable Sir Basil Blackett: Sir, I do not think that I have anything to add to the discussion. There are certain passages in the Government Resolution on the Public Accounts Committee's Report.....

Pandit Hirday Nath Kunzru: On a point of order, Sir. May I ask whether the Honourable Member who moved the Resolution has not got a right to reply?

Mr. Deputy President: If he wishes to, he can.

Pandit Hirday Nath Kunzru: As the Chair called upon Sir Basil Blackett, my friend's right of reply has been taken away from him.

Mr. Deputy President: I did not call upon the Mover because he did not rise, so I thought he did not want to reply.

Mr. K. C. Neogy: There are other Honourable Members who want to speak.

Mr. Deputy President: Do you want to reply?

Mr. K. C. Neogy: Certainly. The great upholder of the constitution has spoken, but when he mentioned all the various steps that have been taken for the purpose of investigating the matter, he omitted to mention the only statutory body which is charged with enquiring into irregularities of this kind, and that is the Public Accounts Committee. My Honourable friend has got experience of the work done by the Public Accounts Committee in England, and I was waiting to hear from him as to what part the Public Accounts Committee had taken in the investigation to which he was making reference so often in his speech. He says, "Oh, trust me!". The Honourable Member is the Member responsible for the administration of the department concerned in these irregularities. He has got another capacity. He is the Chairman of the Public Accounts Committee. Now here he speaks on behalf of the Government of India, and in all these capacities he wants the House to trust him. I think all that he said amounts to that.

The Honourable Sir Basil Blackett: What I said was, "Trust the Auditor General who has expressed himself as fully satisfied with the investigation."

Mr. K. C. Neogy: Certainly, with regard to the technical aspects of the question. But are we not entitled to ask that an independent committee should go into the whole matter just to find out as to whether there was any malpractice? My Honourable friend objected to the expression used by my friend Pandit Hirday Nath Kunzru "falsification of accounts". I dare say my Honourable friend keeps himself in touch with what goes on in the Public Accounts Committee in England. If he were to refer to the second report of the Public Accounts Committee for 1907 he would find that a much less serious instance of incorrect and improper adjustment of accounts was there characterised as falsification of accounts, and there it was pointed out that such a thing would merit the dismissal of the officer concerned. I hold in my hand the Epitome of the Reports of the Public Accounts Committee from 1857 to 1925. The case refers to the Military Works loan account. I will just read out a few relevant passages. The particular officer:

"proceeded on his own discretion to adjust these accounts so that the savings and the excesses balanced each other, transferring a small saving on one item to meet an excess on another, and *vice versa*. The matter became known because no receipt was forthcoming for a small bill for stone, and on investigation by a Court of Inquiry many other items were found to have been adjusted. No evidence of fraud was discovered, however, nor was there any loss of money. The General Officer Commanding and the authorities at the War Office arrived at the conclusion that it was a most serious irregularity, but was not a question of fraud, and that the officer should be reprimanded."

Your committee "

—meaning the Public Accounts Committee—

"inquired why a falsification of accounts, which in civil employment would have been probably visited with dismissal, should in the Military Service be punished only by a reprimand."

I dare say after that the Honourable Member would not object to my saying, that here we have a gross instance of falsification of accounts by persons for whose action my Honourable friend himself is responsible and over whom he did not exercise proper supervision. It is no use my Honourable friend saying "Oh, the responsibility lay with some other department when the improvement scheme was taken in hand". We are not concerned with what particular department the ultimate responsibility lies. There are two departments concerned—one may be the Industries Department which was at one time in charge of the affair, and there is, apart from the Industries Department, the Finance Department which is expected to look after the financial interests of the tax-payer, and both these departments miserably failed in the performance of their duty in this instance. Sir, my Honourable friend said "Oh, ! the Auditor General says there is no reason to doubt the *bona fides* of this officer". I have referred to certain incidents, one incident in particular where bogus contractors were made use of for the purpose of supporting entries in the accounts. Does my Honourable friend deny that charge? Has that fact been investigated?

The Honourable Sir Basil Blackett: They have all been investigated.

Mr. K. C. Neogy: Then this charge stands rebutted.

The Honourable Sir Basil Blackett: I am not sure whether they were rebutted or not. There was no question of fraud whatever, that I know.

Mr. K. C. Neogy: Well, my Honourable friend wants me to accept his word that there was no fraud.

The Honourable Sir Basil Blackett: I do.

Mr. K. C. Neogy: But I want to satisfy myself about it when I find that in a particular instance people described as contractors but have nothing to do with the work put forward bills and regular receipts for amounts which were not paid to them. Does my Honourable friend think that this sort of thing does not require further investigation? Sir, when a swindle is committed no more tell-tale tracks are left; it is only slight indications of this character that have sometimes led to the discovery of the greatest swindles that have been committed in the world.

Then, Sir, reference has also been made to the fact that this supervising officer has been occupying official quarters for several years without paying rent. My Honourable friend Mr. Sykes said.....

The Honourable Sir Basil Blackett: Sir, I have already pointed out that this has nothing to do with the case. It is a separate charge which has been dealt with and finished with by the Public Accounts Committee and ought not to be repeated here.

Mr. K. C. Neogy: That shows the kind of man with whose *bona fides* we are here concerned.

The Honourable Sir Basil Blackett: I protest that this has nothing to do with the Sambhar scheme. The matter was fully investigated. No kind of blame was attached to the officer concerned in the matter. It is brought up here out of its place, irrelevantly, to support a charge which has no connection with the charge against the gentleman who was concerned in this particular case. I think it ought not to be allowed.

Pandit Hirday Nath Kunzru: Does it give an indication of the attitude of the Government of India and does it not indicate that the Government of India may have dealt with the matter very leniently?

Mr. K. C. Neogy: Then, Sir, we have reference in the Audit Report to several bath tubs that were constructed of ferro-concrete. Four of them have been traced to the officers' quarters, one has been traced as having been sold to a judicial officer. Several others still remain to be accounted for. Does the Honourable Member accept that as correct or not? I want to know before I continue. I take it he accepts that.

The Honourable Sir Basil Blackett: I do not accept anything that the Honourable Member says.

Mr. K. C. Neogy: Then, Sir, I have already referred to the loss which the public have suffered to the extent of Rs. 76,000 on account of the fact that a contractor was paid at a higher rate than he had asked for. Does the Honourable Member dispute that proposition?

The Honourable Sir Basil Blackett: That also was fully investigated. It was found that the contract had been accepted by mistake at an unduly low rate, and it was only just to the contractor that he should be paid at a fair rate.

Mr. K. C. Neogy: It was no doubt an error of judgment as the Government put it; but we are not satisfied. We cannot be expected to be satisfied with whatever proposition Government may lay down in this matter. We want to get behind all this.

Now, Sir, when these irregularities began to come to light, is it or is it not a fact that Government allowed the officer to retire on proportionate pension? I want an answer.

Mr. Deputy President: Don't wait for an answer; he will give his reply presently.

Mr. K. C. Neogy: That shows it was done with the fullest concurrence of the Government, and why is it the Government now turn round and say "The officer concerned has retired on pension and we cannot touch him, but the Commissioner of Salt, who is still in service, has been reprimanded." Now, Sir, during the year 1926, in his evidence before the Public Accounts Committee Mr. Lloyd threatened the Audit Officer concerned with an action for libel on behalf of the officers whose action he had exposed in his report. If there was any occasion at that time for the officer concerned to sue, to take such an extraordinary step as to sue the Audit Officer for libel, certainly there is some justification for us at the present moment to ask for an investigation into these affairs. If the officers concerned felt so very aggrieved at certain observations and were advised that they had a case for taking to the court, certainly there is every justification for this House to ask for an independent inquiry. Sir, my own suspicion is that it is the status, nationality and social position of the officers who are guilty of the highest kind of disregard of public interests that stand in the way of an open inquiry. How did the Honourable Member treat the Public Accounts Committee itself? The Public Accounts Committee were supplied with merely the summaries of things—a summary in the first place of the Audit Officer's report; and the reply of the officers concerned was never communicated to the Public Accounts Committee: a summary again of the report on the action taken by Government. The Public Accounts Committee, I venture to think, deserve much more consideration at the hands of Government. It is a statutory body and my Honourable friend, who is such a great upholder of the constitution, should be the last person to treat the Public Accounts Committee in this manner.

My Honourable friend, Sir Purshotamdas Thakurdas, has said that if the Government do not see their way to appoint an independent committee of inquiry, the inquiry might be made by the Public Accounts Committee itself. So far as I am concerned, I am perfectly agreeable to that course being taken. As a matter of fact, I would not have given notice of this Resolution if Government had not refused to give the Public Accounts Committee an opportunity to make an inquiry which was promised as a matter of fact by the Honourable Member himself in the autumn of 1926. My Honourable friend kept on repeating. "Oh, some of these charges have been disproved"; but he did not care to specify which charges had been disproved. I challenge him to mention them. He referred to the electrification scheme; he said that it is not correct to say that the plant was required for pumping only for six weeks in the year. May I draw my Honourable friend's attention to a passage which appears at page 22 of the Report of the Public Accounts Committee for the year 1925-26:

"In view of the fact that the generating plant is in operation only during a year of scanty rainfall and then only for about six weeks, we—"

—meaning the Public Accounts Committee—

“consider that the Board should examine whether some other method of supplying the power cannot be devised, the present electric power house being dismantled.”

The first signature to this statement is that of Sir Basil P. Blackett. My Honourable friend says “This has been found to be absolutely incorrect.” When was it found to be absolutely incorrect? Was the fact communicated to the Public Accounts Committee after that? Sir, my Honourable friend ought to realise that he stands somewhat in the position of an accused himself and he ought not to take up such an attitude. It is he who is to blame for not having exercised proper control and proper supervision over his subordinates, and he should be the last person to have taken up the sort of supercilious attitude that he has thought fit to take in this debate.

At this stage Mr. Deputy President vacated the Chair which was resumed by Mr. President.

The Honourable Sir Basil Blackett: Sir, my objection to Mr. Neogy's method of bringing in charges which have nothing to do with this case but with other cases that have come to notice in this connection is well illustrated by what he has said about a certain officer occupying a Government building without paying rent for some time. The fact is that a particular building had been occupied by the Salt Commissioner for a generation or more without rent; and that was the position of affairs when the present Commissioner found it, and it was he himself who called the attention of the Government to the fact. When a case of that sort is brought in for the purpose of causing prejudice in a case of this sort, it is obvious that we are getting rather far away from what the subject ought to be.

Reference has been made to what the attitude of the Public Accounts Committee in England would be. My objection to the present proposal is just exactly that. Having received from the Auditor General a statement that he is fully satisfied with the action taken by the Government in the case of a particular trouble brought to light, the Public Accounts Committee in England would never have thought of going further with the matter. They would be satisfied with the Auditor General's statement that he had investigated the subject fully and was quite satisfied with the action that Government had taken in the matter. What I cannot agree to on behalf of the Government, even if it comes from the Public Accounts Committee, is that an investigation should be conducted, a fishing investigation outside the evidence that is in the possession of the Government on this matter. It is quite proper that the Public Accounts Committee, when it comes back to this subject, as it will do next time with the latest information from the Government, should then examine the Government witnesses in regard to the matter; but that is quite a different thing from appointing a special committee to reopen the whole investigation fully conducted by the audit officer. There will be the Auditor General and there will be the Central Board of Revenue available to the Public Accounts Committee to give any further explanations they desire in the matter. But that is all. I cannot agree to let them reopen this question, which I think it would be obviously desirable should not be kept open indefinitely. That is the position as I see it. If that kind of inquiry by the Public Accounts Committee is all that is desired, I have never suggested that it should not be admitted or sought to prevent its being admitted. But I am not prepared to see the Public Accounts Committee setting itself up

[Sir Basil Blackett.]

or a separate committee being set up for the purpose of a complete investigation, going on the spot, calling in witnesses here, there and everywhere. I cannot possibly agree to that. I do not know whether it meets Sir Purshotamdas Thakurdas. I think it does; but if it does, possibly the Honourable Member will be willing to withdraw his amendment.

Sir Purshotamdas Thakurdas (Indian Merchants Chambers: Indian Commerce): May I inquire if it is a fact that the Government of India have themselves deputed an engineer to make some inquiries in connection with this Sambar incident?

The Honourable Sir Basil Blackett: I think an engineer has been appointed to pass what are called the completion reports.

Sir Purshotamdas Thakurdas: Will that engineer's report cover the works referred to in connection with this incident?

The Honourable Sir Basil Blackett: It is the completion report of these works; but I do not know quite how that comes up in this connection.

Sir Purshotamdas Thakurdas: Will that report be made available to the Public Accounts Committee?

The Honourable Sir Basil Blackett: It will be available for the Auditor General who could report on it if he finds anything in it unsuitable or wrong. I mean this completion report is not the sort of document we usually put before the Committee; it will be one of the documents which will be before the Auditor General for comparing with the final accounts of the scheme. I think as a matter of fact we have all got rather beyond the point which we are really after. I think, as I see it now, Mr. Neogy's own desire is to secure that the Public Accounts Committee is not muzzled. I have no desire—and I am sure that Honourable Members will realise that I am the last person who would have any desire—to muzzle the Public Accounts Committee. I do desire that the Public Accounts Committee should perform its functions thoroughly; but for that reason I do desire to point out that it is not desirable that the Public Accounts Committee should convert itself from a body sitting at the headquarters of the Government from time to time and examining mainly what it receives from the Auditor General, into a body of investigation into a particular subject and calling witnesses and travelling all over the place. That is not its function, and if that is understood, there is really very little if anything between us, except this that I do think the Public Accounts Committee should recognise, having obtained from the Auditor General a statement that he is fully satisfied with the action taken by the Government in any particular case, that there is very little probability that it will be useful after that to call into question the action of the Government and the action of the Auditor General in the matter.

Mr. President: The question is:

That the following Resolution be adopted:

"This Assembly recommends to the Governor General in Council that a Committee of official and non-official Members of this House be appointed to make a thorough investigation into the financial irregularities relating to the Sambhar Salt Improvement Scheme referred to in the report of the Public Accounts Committee for 1925-26."

The Assembly divided :

AYES—24.

Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Aney, Mr. M. S.
Bhargava, Pandit Thakur Das
Birla, Mr. Ghanshyam Das.
Das, Mr. B.
Haji, Mr. Sarabhai Nemchand.
Iswar Saran, Munshi.
Jayakar, Mr. M. R.
Joshi, Mr. N. M.
Ke'kar, Mr. N. C.
Kunzru, Pandit Hirday Nath.

Lahu Chaudhury, Mr Dharendra
Kanta
Lajpat Rai, Lala.
Malaviya, Pandit Madan Mohan.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Neogy, Mr. K. C.
Pandya, Mr Vidya Sagar.
Purshotamdas Thakurdas, Sir.
Rao, Mr G Sarvotham.
Sarda, Rai Sahib Harbilas.
Sinha, Mr R. P.
Yakub, Maulvi Muhammad

NOES—41

Abdul Aziz, Khan Bahadur Mian
Abdul Qayyum, Nawab Sir Sahibzada.
Ahmad, Khan Bahadur Nasir-ud-din.
Alexander, Mr Wilham.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Sayid.
Ayangar, Mr. V. K. Aravamudha
Bajpai, Mr. G. S.
Blackett, The Honourable Sir Basil
Bray, Sir Denys.
Chatterjee, Revd. J. C.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Cocke, Mr. H. G.
Cosgrave, Mr. W. A.
Couper, Mr. T.
Courtenay, Mr. R. H.
Crawford, Colonel J. D.
Crerar, The Honourable Mr. J.
Dalal, Sardar Sir Bomanji.

Graham, Mr. L.
Hewn, Mr. C. J.
Jawahir Singh, Sardar Bahadur
Sardar.
Keane, Mr. M.
Lamb, Mr. W. S.
Lindsay, Sir Daicy
Mitra, The Honourable Sir Bhupendra
Nath.
Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rajay, The Honourable Sir George
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Roy, Mr. S. N.
Sams, Mr. H. A.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Sykes, Mr. E. F.
Taylor, Mr. E. Gawan.
Young, Mr. G. M.

The motion was negatived.

RESOLUTION RE EXPORT OF SACRED OBJECTS AND INDIAN ANTIQUITIES, ETC

Mr. G. Sarvotham Rao (West Coast and Nilgiris: Non-Muhammadian Rural): Sir, I beg to move :

"That this Assembly recommends to the Governor General in Council that he may be pleased to take immediate steps to stop the exportation out of India of sacred objects and of Indian antiquities, manuscripts, works of ancient art and such other things as are either national heirlooms and are objects of national pride or are necessary for a proper understanding and appreciation of India's past and for the study and reconstruction by Indians of the history of ancient and mediæval India "

Sir, I have to state at the very outset that this Resolution has fallen to me by a mere chance of the ballot. The father of this Resolution, Rai Sahib Harbilas Sarda, has a regular dictionary of all those things connected with antiquities even though he lives in the modern age and will be in a position to give the House all the details concerning this Resolution. But I have

[Mr. G. Sarvotham Rao.]

kept to myself the right, because all along I have been a maiden in this Assembly, of moving this Resolution on antiquities. The Resolution, Sir, looks extremely unostentatious and non-controversial and one on which there cannot be the least divergence or difference of opinion on either side. But, the difficulties in my way in moving this Resolution and in commending it to the attention of the official Benches are really very great and manifest. Everything in India, whether it be religion or a prophet or divinity of a particular type or form, is involved in some political issue, and it is not possible to separate them and say that these are non-controversial and as such will be accepted by everybody concerned. Now, Sir, I am already prepared for a controversy in spite of the fact that the Resolution appears non-controversial. It may be stated at the very outset that this Resolution—I am not responsible for the wording of it—is vague and deals with a vast subject, and it must be impossible for any Government to put barriers on the export of things over which they have absolutely no control. But, Sir, I want to take the larger meaning of the word “exportation”, so that I may escape the criticism of the Commerce Department and the Tariff Board that you cannot restrict the export of a thing on which a duty cannot be levied and that it would be impossible for the Customs Department to institute a regular search of all who export these things.

So I want to take the dictionary meaning of the word “exportation” in the sense of carrying away. I will not use the stronger expressions such as “loot” or “robbery” which may not find appreciation in the eyes of some of my friends. So, I would only say that the Government should take steps to find out a method by which they can stop the exportation of these things outside India. Of course it falls upon me to propose—as I told you this is a vast subject—what steps, what immediate steps the Government ought to take in this matter. I anticipate my Honourable friend the Secretary for Education, Health and Lands questioning me as to the steps, the tangible steps I propose. Let us see what these steps are and then we can consider them in detail. The steps however are not concrete steps; they are not material steps on which we can proceed with very great ease as we do here upon the stairs of this Council House.

Sir, the search for antiquities has become a regular craze. It was only the other day I was reading in some paper that there are countries in the world where there is so much superfluous wealth that they do not know what to do with, whether they should use this wealth for the uplift of their own country or bring in from other countries what those countries consider to be their valuables. I have also heard of a very humorous story of an American millionaire having offered a vast sum of money for the purchase of St. Paul's Cathedral. We have also heard of the great interest which is being taken in all parts of the world in the exploration of Tutankhamen's tomb in Egypt. I do not want to dwell any further on this and will come to the point directly, and that is the feeling among persons interested in the ancient glories of India that the Government are not taking adequate steps to safeguard Indian antiquities properly. The Resolution, Sir, is self-explanatory, and it shows at a glance all the things which are being exported and which ought to be safeguarded, in the shape of manuscript, works of ancient art and such other things as are either Indian heirlooms or are objects of national pride. Of course India abounds in antiquities, and very little effort was ever put forth before 1904 by this benevolent Government.

in securing them for India. In that year the Ancient Monuments Act, which we owe to Lord Curzon, was passed. Previous to that no attempt was made to help this country to maintain its ancient and valuable things intact. The Government may reply that they are not responsible for what the East India Company did in those days. But I may say, Sir, that at the time the East India Company had control over this country people were not so anxious about old things, because they did not really appreciate the value of anything except that which appealed to the senses. Any patriotic student of Indian history, who studies it for its own sake and not for the purpose of examinations, discovers that the illustrations and references in the books which are considered to be relevant to the subject are objects which are not to be found in any Indian Museum but in some far off country, either in Germany or, if not there, in the Bodleian Library at Oxford. How these things were carried away there is nothing now to show. Government are not interested and the people also are not interested and the carting away of these ancient treasures was not considered anything out of the way. These things are not dutiable, and therefore the Government cannot possibly object to their being taken out or interfered in any way, except in the manner which I am going to suggest. I was, Sir, in the educational line for at least 12 years and I have also as a student been reading Indian history, especially ancient Indian history. I had to specialise in it. But, Sir, most students of ancient Indian history take no very great interest in the subject except for their examination purposes. There is no interest beyond that. And the study of Indian history, Sir so far as my province is concerned has been relegated to a very minor part, while the study of the British Empire as a special subject has been introduced. Sir, that is a deliberate attempt on the part of the authorities to belittle Indian conditions in the eyes of young students, and to place before them the British Empire, on which the sun never sets, is a study which should absorb all their attention. This encouragement of a thorough lack of interest in one's own country is a great crime, a crime which certainly ought not to be encouraged by any Government. If public interest in our own land is encouraged, and if these objects of historical value are not allowed to be carried away to other places, I am sure that the public will be sufficiently interested as to put a stop to this sort of exportation themselves. I do not want to repeat myself, but the fact is that the exportation of these things is due to the lack of initiative on the part of this Government in starting museums and in encouraging the study of ancient art and antiquities for the purpose of building up our own history ourselves. Unless and until that interest is created in the younger generation by keeping these antiquities here in this country and ever before their eyes so that they may realise that after all India was not a country of savages before the British came here, nothing worth mentioning can be achieved in that direction. But Indian history has been taught to us, Sir, in such a way, and school children will repeat it to the present day, as to make out that the India of ancient days was not so civilized.

The excavations at Mohenjo Daro, Harappa and other places prove that India was civilized as early as three to four thousand years ago, and these things have attracted the attention of the world all over. If the Government have not taken the necessary steps to guard our things formerly, and if this Resolution attempts to lock the stable when the steed has already been stolen, it is still time enough for this Government to think over the matter carefully and take such steps as would create a real spirit of enthusiasm in young men to study their ancient history keeping these before their eyes.

[Mr. G. Sarvotham Rao.]

There are, Sir, various things which are exported. What is the reason for these exports? One reason is the poverty of the country. When an offer is received for old, worn-out leaves the value of which the possessor himself has not realized, in tens and thousands of rupees, he is prepared to give them up and he does give them up on very many occasions. A large number of manuscripts has been carried away in this fashion because the persons who parted with them never knew the value of those manuscripts themselves, and it is no use finding fault with them. The Government have not given them sufficient education to understand these things. But, still, the Government can intervene and compete in the open market for these valuable things. But, Sir, the question may be put, how will the Government know that these things are valuable, how are the members of the Archaeological Department to know that these things are available in the country and can be had? I say, Sir, it is possible. When the Police Department is in search of any particular scrap of paper considered to be conducive to the spread of sedition in this country, everybody knows that even pillows are not spared without being ransacked during the course of a house search. Why? Because the Government think that their interest lies in getting at these things. The Director of Public Information, it is said, directs all his energies to occupations which are being severely criticized by this side of the House. He could, if he chooses to do so, give a good deal of information about these things, as he ought to, and if he does so there will be no quarrel on this side of the House that his salary is non-voted. All this means expenditure. Where is this money to come from? Can this money ever be found by any Government and sufficiently?

Sir, as a member of the Standing Finance Committee I came across certain papers the other day which said that our Kashmere Gate here, which is familiar to most of us only as a place where articles of English clothing can be had from European firms there at much higher prices than at Chandni Chawk, has got to be improved. I went all the way to Kashmere Gate to see if there was anything at all worth spending money upon. I was surprised to see there is nothing archaeological there is nothing historical, there are only bare walls, but the Government are prepared and are considering seriously the necessity of that particular monument simply because it was by blowing up the Kashmere Gate that during the Sepoy Mutiny the British were able to capture Delhi. Such are the things which are to be maintained at very heavy cost, as if just to perpetuate in our eyes our humiliation. Take the Neill Statue affair in Madras where such a great attempt is made to get it removed, but the Government there are not prepared to remove it although it is a very easy thing to keep it in another place. Take the Lawrence Statue at Lahore or the Black Hole in Calcutta. For the maintenance of all these things money is found though the people of this country consider these monuments humiliating to them. But are not there other things more valuable to which this money can be diverted, and for the betterment of this country? I am, Sir, a greater believer in the British Government and British justice. Whatever my other friends may say, I have always believed that ultimately we can get them to do what we want, but the mulish obduracy of the Government in silly matters has given even me at certain moments food to reflect whether I was correct. There is a great agitation over statues which the people do not want but which the Government would maintain at any cost. All

this money, Sir, which is now wasted, can be saved and this money can better be utilised in hunting out manuscripts and antiquities and seeing them placed in their proper places so that they may be of use to students. Sir, I move.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair

Mr. President: Resolution moved:

"This Assembly recommends to the Governor General in Council that he may be pleased to take immediate steps to stop the exportation out of India of sacred objects and of Indian antiquities, manuscripts, works of ancient art and such other things as are either national heirlooms and are objects of national pride or are necessary for a proper understanding and appreciation of India's past and for the study and reconstruction by Indians of the history of ancient and mediæval India"

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): On a point of order. Sir, have we a quorum in the House?

Mr. President: We have got more than a quorum.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): I am sure, Sir, the Department of Archæology will feel highly flattered by the attention which has been paid to it by unofficial Members of this House on two occasions during this Session. On the 23rd February we discussed the preservation of ruins and tombs round about Delhi; to-day we have been discussing the exportation of antiquities from India. I fear, however, that, if the Director General of Archæology were in the lobby or the official gallery to-day, he would have his sense of satisfaction depressed by the spare attendance of Members to listen to this thrilling discussion. However I undertake to convey to him a cheerful account of the interest which has been displayed in the subject by the House to-day, so that he may feel highly gratified and may be stimulated in the efforts which he has been making for the preservation of archæological works or monuments of archæological interest in this country.

I confess, Sir, that, as I listened to the speech of my Honourable friend Mr. Sarvotham Rao, I was hoping that he would give me some idea of the acts of vandalism which he supposed Government had been guilty of, that he would supply me with a list of antiquities which had been exported, of manuscripts which came into the possession of Government and which had not been safeguarded, of works of art which had come into our possession and which had been given away. He, however, said in general terms that he thought that it was the duty of Government that works of antiquity which are of historical value should be preserved in India in order to enable Indian students to pursue their archæological and historical studies and then he left it to Rai Sahib Har Bilas Sarda, who I am sorry to see is not in the House this afternoon, to enlighten me with further particulars. I believe the expression used by him was that Mr.

[Mr. G. S. Bajpai.]

Sarda had a veritable dictionary of antiquarian objects in regard to which he was going to frame an indictment against the Government. Well, Sir, I am sorry he is not here, because Government really are in sympathy with the object which underlies the Resolution of my Honourable friend Mr. Sarvotham Rao. I believe that object to be that what is of artistic value in India, what is of archaeological value among the finds which are made by the Archaeological Department in India, what is of artistic interest to students of Indian history, should be preserved in India; and with that object, Sir, we have every sympathy. And it is not that we have merely a theoretic sympathy with that object. I would invite the attention of the House to section 17 (1) of the Ancient Monuments Preservation Act of 1904, which empowers the Governor General in Council, whenever he apprehends that antiquities are being sold or removed to the detriment of India, to prohibit or restrict the taking by sea or by land of any antiquities or class of antiquities described in the notification which the Governor General may issue.

Sir Victor Sassoon (Bombay Millowners' Association: Indian Commerce): What about the air?

Mr. G. S. Bajpai: Unfortunately at the time when this Act was framed the Honourable and gallant Baronet's exploits and the potentialities of buccaneering from the air had not been discovered; otherwise I am sure the draftsman would have made proper provision for them. Not merely, Sir, is this power vested in the Governor General in Council; but I propose to read out to the House the definition of "antiquities" which occurs in the Act, and which will give the House an idea of the very comprehensive character of that power. "Antiquities" include any immoveable objects which the Government by reason of their historical or archaeological associations may think it necessary to protect against injury, removal or disposal. That, Sir, is the law. But we do not stop merely at the law, because many worthy laws are a dead letter and are honoured more in being ignored than in being observed. I shall, Sir, with your permission summarise the scope of notifications which have been issued by the Governor General in Council from time to time in exercise of the power vested in him under section 17 (1) of the Ancient Monuments Preservation Act of 1904. In three areas where archaeological finds of value and interest have been discovered by the Archaeological Department, restrictions have been imposed. These areas are the North-West Frontier Province, the Madras Presidency and the Muttra district in the United Provinces and from none of these areas is it now possible, at least within the knowledge of Government, for anybody to export or take away—I think that was the definition which my friend Mr. Sarvotham Rao gave of the term "export"—take away from these areas antiquities of interest or of value. Of course, Sir, I must make it perfectly clear that these powers really apply to what may be considered to be public property or what has actually come into the possession of the Archaeological Department. As distinct from that there is private property, that is to say, pictures, books, manuscripts, etc., which are in private possession. In regard to what may be in private possession the Government of India have no such restrictive or prohibitive powers; but, Sir, with the exception of Italy—and in Italy I think this placing of restrictions dates from the advent to power of Signor Mussolini—I do not know of any

country in the world where Government has taken to itself the power of prohibiting or preventing the exportation of works of artistic, historical or archæological interest which are in private possession. And the reason why the Government have not thought of prohibiting the exportation of those antiquities which might be in private possession is that such prohibition or restriction would constitute a unwarranted interference with the exercise of rights of private property. I will illustrate that point by fact which happens to be within my own personal knowledge. Here in Delhi we have a distinguished citizen, Lala Sri Ram, who, I understand, has a unique collection of Urdu manuscripts and Mughal miniatures. Now, my friend Mr. Sarvotham Rao suggested that we might have resort to the C. I. D. in order to discover the works of archæological or historical interest which happen to be in private possession, and should then proceed to annex them by the exercise of some arbitrary law. But, I am quite sure that if I had gone or if Government had gone to Lala Sri Ram and had expressed a desire to take possession of these things in order to house them in a museum he would have said: "Why should I part with them; these are my own and I derive pleasure by their possession. I have every right to do what I like with them. I might like to give them to a University." As it happens, he did give them to a University and I would like to avail myself of this opportunity to pay a tribute to his public spirit in this matter. He has presented his manuscripts and pictures to the Benares Hindu University. Now, what I submit is that if we were to take to ourselves such arbitrary or autocratic powers as would enable us to interfere with the rights of private property, we would really give rise to far greater dissatisfaction than any satisfaction which might accrue from Government acquiring these things and keeping them in some place where they may not be made the best use of.

The position, then, Sir, is that those antiquities which the Archæological Department has discovered are retained in this country, and Honourable Members opposite have not been able to give me a single example of any such antiquity being exported from India. If any Honourable Member who may follow me will be so good as to give me information about any such antiquities that may have been exported, Government will be very glad to have that matter looked into. Then, we come to antiquities or works of art which may be in private possession. With regard to these, I have already explained the reason why it is not either desirable or proper for Government that they should try to annex or seize them. The real solution, Sir, of the difficulty in so far as it relates to objects of historical or archæological interest which are in private possession seems to be the stimulation of public interest in what might be described as a national duty, namely, the preservation in the country of works of archæological and artistic interest. As Honourable Members in this House are aware, private generosity or private munificence has done a great deal to enrich the public art galleries in Europe and America. We wish that similar private munificence and generosity should be brought into play in India in order to keep in India what India has every right to keep. But I regret to say that it is not possible for Government to do more than to appear in the market as an ordinary private competitor and to acquire what it may be possible for them to acquire subject to or in consonance with their resources. I have had some figures extracted from the various archæological reports and I find that in the course of the last three years we have

[Mr. G. S. Bajpai.]

spent something in the neighbourhood of Rs 90,000 on the purchase of works of artistic interest. Well, Sir, I do not argue nor do I maintain or contend that this is quite as much as we should have liked to spend on these objects, but still it is something. If this is supplemented by such further resources as we may be able to scrape together hereafter and if it is also implemented by what private munificence may be able to achieve, I think that an important and a substantial beginning will have been made towards the preservation or the keeping intact in this country of all works of art

To sum up. I have already stated, Government have every sympathy with the underlying objects of my Honourable friend's Resolution. I maintain that it is not merely lip sympathy but that they have under the Ancient Monuments Preservation Act got power to help in the realization of those objects in regard to antiquities of a certain description. And not merely have they that power but they have exercised that power.

Mr. M. S. Aney (Berar Representative): May I ask the Honourable Member what the definition of an "antiquity" is? Does it include old manuscripts also?

Mr. G. S. Bajpai: The definition of the word "antiquity" is:

"Any movable object which Government by reason, etc."

Sir, I presume a manuscript is a moveable object and therefore it comes under that category.

As I was explaining, Sir, it is not merely that we have the power but we have also exercised that power in regard to these particular antiquities. What we have not been able to accomplish is to acquire for ourselves all antiquities of artistic interest that may be in private possession and the reason for not doing that I have already submitted to the House and I believe it to be a very good reason. Therefore, if I find myself unable to accept the Resolution which my Honourable friend has moved it is because of its very comprehensive character and also because it seeks to lay on the shoulders of Government obligations which it would not be possible for them consistently either with their general policy or with their financial resources to discharge. Sir, the Resolution asks the Governor General in Council:

"to stop the exportation out of India of sacred objects and of Indian antiquities, manuscripts, works of ancient art and such other things as are either national heirlooms and are objects of national pride or are necessary for a proper understanding and appreciation of India's past, etc."

In the first place, criteria as to what is of national importance and what is not vary and if you were to ask every individual in India who considers himself competent to pronounce an opinion as to what is of antiquarian or archaeological interest, then we shall have to have museums every two or three yards. The second reason for Government not being able to accept this Resolution is that if they were to accept it, they would really, if they intended to carry it out, be under an obligation to restrict private trade or private transactions between individuals owning these works of artistic value or importance and anybody who may seek to acquire them. Therefore, I trust my Honourable friend will realise that it is not because of any lack of sympathy either with the object of his Resolution or the

motives that have led him to move it that I find it impossible to accept it on behalf of Government, but simply because it seeks to lay upon us an obligation which is too comprehensive and too wide for our power to discharge adequately.

Mr. President: Is it the desire of the Honourable Member (Mr. Sarvotham Rao) to withdraw his Resolution?

Mr. G. Sarvotham Rao: Yes, Sir, I wish to withdraw the Resolution. The Resolution was, by leave of the Assembly, withdrawn.

RESOLUTION RE SUGAR INDUSTRY IN INDIA

(Mr. President called on Haji Abdoola Haroon to move his Resolution regarding the sugar industry of India, but the Honourable Member was absent.)

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadan Rural): May I, Sir, move the Resolution standing in the name of Haji Abdoola Haroon?

Mr. President: Has the Government Member got his written authority?

Mr. Mukhtar Singh: Yes, Sir.

Sir, I beg to move:

"That this Assembly recommends to the Governor General in Council that in order to save the sugar industry of India and to place it on a successful commercial basis he be pleased to take the following steps immediately:

- (a) To cause to produce accounts of duty realised on sugar under the Indian Tariff (Amendment) Act, 1925, in comparison with the same as if it were realised in accordance with the previous practice of 25 per cent. as from 1st June, 1925, and up to the end of the last official year, and show exactly what surplus has thereby been gained.
- (b) To form a Sugar Board consisting of a majority of non-official Indians to advise the Government from time to time as to how the sugar industry can best be helped.
- (c) To place the amount of surplus referred to in clause (a) above at the disposal of the said Board for the promotion of the sugar industry.
- (d) To offer at least three dozen scholarships to Indian graduates to study the scientific and up-to-date methods of sugar-cane cultivation, production in raw value, and reducing same to refined value, in foreign countries such as Java, Cuba, etc.
- (e) To provide better facilities for manuring and irrigation to the sugar-cane cultivators in the country.
- (f) To issue pamphlets and books on the methods of cultivation, production and manufacture of sugar in the language of the cultivator and the producer.
- (g) To establish an experimental station at Pusa or elsewhere in India which should exclusively look after the improvement in growth of cane and its varieties in India on the same basis as the Experimental Station, of Pasoeroean (Java)."

Sir, I consider myself to be very fortunate to have an opportunity to speak on this motion.

The total acreage in India under sugar-cane is 29,20,000 in 1926-27. Out of this total acreage of 29 lakhs, my province, the United Provinces, contributes 16,13,139 acres, that is, about 55.3 per cent. and out of that

[Mr. Mukhtar Singh.]

total acreage the Meerut Division contributes 4,09,731 acres; that is about 14 per cent. of the total acreage of India. That proves clearly how much my province is interested in the subject, and how much the Division to which I have the honour to belong has at stake in the sugar industry. The subject is very important, and the importance of the subject has been realised from a very very long time. I do not like to enter into the old history of this subject. I consider some other friend will do it, as the time at my disposal is very short. I simply want to state how the industry stands to-day. The sugar industry has been a very important industry in this country, and there was a time when even the sugar plant was not known to the people outside India, and they used to refer to this country as a country which produced the honey plant. There was a time when people in other countries did not know that there is anything sweet besides honey; then we were exporting our sugar to other foreign countries. According to the statement given on page 138 of the "Review of Trade of India" we find that the pre-war average of imports of sugar into this country was 1,31,758 tons, and during the war I believe it was 1,47,048, and the post-war average has been increased to 1,99,876 tons. That clearly shows that the import of sugar into this country has been very much increased. In 1911 the industry was very much threatened, and at that time everybody was considering that the cultivation of sugar-cane will be extinct in this country, just as the cultivation of indigo has become extinct. At that time, in 1910, Sir John Hewett, Lieutenant Governor of the United Provinces, said:

"Thirty years ago we had 300,000 acres of indigo, with all the employment furnished by the manufacture of the dye; to-day we have little more than 40,000 acres under the crop, which is indeed no longer known in many localities where it was once a source of employment and of profit. Sugar-cane, as I have just said, is threatened, and I can scarcely imagine the extent of the disaster to the province should our acreage of cane, which last year exceeded a million acres, dwindle in the same proportion as our acreage of indigo."

But fortunately the war came in and a short lease of life was given to this industry. In the war days I remember to have sold my *gur* at the rate of Rs. 17 per maund. To-day it is not only that *jaggery* is not sold at that rate but even refined sugar is not sold at that rate. This clearly shows that the industry has become very much threatened by the import of sugar.

On page 21 of the "Review of Trade of India" it is stated:

"Imports of sugar of all sorts, excluding molasses and confectionery into British India during 1926-27 still further increased and amounted to 826,900 tons, a rise of 13 per cent. over the preceding year, and 22 per cent. as compared with 1924-25. The value of the imports rose by 21 per cent. to Rs. 18,37 lakhs. Sugar ranked second in importance in the list of imports in the year under review, while in the preceding year it had taken but the third place."

Further on, Sir, we find that even the imports of molasses increased from 70,786 tons to 95,982 tons, the value rising from Rs. 38 lakhs to Rs. 52½ lakhs.

This clearly shows that the sugar industry is in a very bad plight. If Honourable Members happen to go to the villages in the Meerut District and the Rohilkund Division they will find that the condition of the farmer has become very, very bad. The average rate at which *gur* is sold this

year is Rs. 4 a maund. If you compare Rs. 4 to Rs. 17 of the war days, you will clearly realise what is the condition, and even at Rs. 4 it will not sell. So I beg to submit that it is a case in which Government should do whatever it can to save the industry.

In 1919 the Government themselves considered it to be necessary to save this industry, and a Committee was appointed by the Governor General under a Resolution of the Revenue and Agricultural Department, dated October 2nd, 1919. In that Resolution they said:

"Sugar-cane is indigenous in India which until very recent years stood first of all countries in the world in its area under cane and its estimated yield of cane-sugar, and even now ranks second only to Cuba."

The reference to this Committee clearly shows that very wide powers were given to this Committee. They travelled not only in this country but in other countries also to enquire as to how the sugar industry can be developed. The report was brought out in 1920 and published in 1921. Unfortunately at that time the Government considered that it was unnecessary to take any action on that report. I put a question, Sir, in this House asking how many of the recommendations made by that Committee had been carried out and I was informed that only very small items had been taken note of; otherwise the recommendations had either been forwarded to the Local Governments or no action had been taken. This shows clearly the inaction of the Government. I was further told that no action had been taken on those recommendations because there were some financial difficulties, and that now they must wait till the Royal Agricultural Commission's Report is out. I am sorry that the Government should have decided to wait for the Report of the Agricultural Commission, because we find from the questionnaire issued by that Commission that this was not one of the subjects before them. It was simply incidentally gone into. It was not the task before the Royal Agricultural Commission to inquire as to how to develop this industry. Moreover when there was a Committee appointed so recently as in 1919 there was no necessity for awaiting the report of the Royal Agricultural Commission. If in the terms of reference the Royal Agricultural Commission had been asked specially to report on this industry, then certainly there would have been some reason to wait for their report, but as it is it means nothing else but inaction of the Government to save this important industry. I consider, Sir, that if this industry is not saved, I am afraid it is sure to die out and I may state from my own experience that even to-day sugar-cane cultivation is not a paying job. Though the aggregate under sugar-cane has to a certain extent increased, the next year will show that the acreage has been reduced considerably. We find according to the best estimates of the different farms in the United Provinces that the cultivation of an acre of sugar-cane does not cost less than Rs. 100 while on an average the price that the cultivator gets does not exceed Rs. 90. That clearly shows the cultivation of sugar-cane during this year and the past year has been a clear loss to the cultivator. If it had been a case of substituting another crop for sugar-cane, then possibly I would not have been very much afraid of the extinction of this industry; but when we find that in the whole of the Meerut Division, the Gorakhpur Division and the Rohilkund Division—three of the most important sugar-cane cultivating divisions—there is no other crop which can be substituted for sugar-cane, I fear it will mean nothing else but that rents will go down and the

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revenue will remain the same, so that people will not be able to support themselves. They are already very poor and the extinction of this industry will reduce them to a still worse condition. So it is but necessary that the Government should take action at once.

There are certain people who consider that India being out of the sugar belt, it is unnecessary to save this industry and therefore it is a waste of time and money to improve the methods of cultivation or in any other way try to save this industry. I may submit here a few points, Sir, which will clearly show that India is very well suited for the production of sugar and therefore it is necessary to save this industry. Possibly my appeal might not have been very impressive if the Government had the interest of imported sugar from Mauritius still to consider, but we find that the Mauritius sugar is not able to hold its own against Java, and so there is no question of conflict of interest between the Government and the people, and it is only fair that the Government should take some action in the matter. The first point to which I would draw attention, Sir, is that in no country does cane mature in less than 12 to 18 months while in India we mature our cane in 9 months. That clearly shows that we are better suited for the cultivation of sugar. Certainly on account of the want of facilities such as manure and irrigation we have not been able to produce a better tonnage of sugar, but that is due, as I shall try to show, more or less to the inaction of the Government experts rather than to the cultivators. Then, Sir, there was one objection made in this report, that the tonnage of sugar is very low in this country. I believe that on an average it is so, but as far as the maximum yield goes the result of the Shahajahanpur Farm clearly shows that it is in no way less than the maximum produce of Java. It is a fact that in this country the maximum yield of all the crops can very well compare with the maximum yield of the same crop in other countries of the world; but the average yield of every crop is much lower as we do not, rather cannot, resort to intensive cultivation as is resorted to in other countries. It is due to the want of scientific knowledge. It is due to the want of resources. It is due to certain other factors which this is not the time to go into. Then, Sir, there was another charge—that the amount of sugar that we get out of our cane is very low. So it is, Sir, but it is due more or less to the want of facilities given to the cultivator. On account of which he cannot grow canes of higher sugar contents. Only the other day I received a letter from the Director of Agriculture in the Bhopal State. He has been able to get as much as 8 to 9 maunds of refined sugar out of a hundred maunds of cane simply by crushing by the ordinary method and preparing sugar by the ordinary method without the use of the vacuum pan. That clearly shows that the percentage of sugar can very well be increased even without the introduction of modern factories. I do not suggest in any way that we should not improve upon the wasteful method that we are employing to-day, but it means, Sir, that if we want to improve upon the resources that we have already got we can do a lot. I was trying to show that India is very well suited to the development of the sugar industry. India has different sorts of soils and climates. Perhaps you will be surprised to hear that in the Meerut Division and in the Rohilkund Division there is a very big area under sugar cane which does not require any irrigation at all for

the production of sugar-cane. Practically the whole of Bijnore District grows sugar-cane without irrigation. That shows clearly how far the land is very well suited to it. I have not got the figures of Bijnore, but I have got the figures of my district and from that you will find that about 15 per cent. of the total acreage under sugar-cane is unirrigated. That clearly shows how far the place is well suited. I draw from this the conclusion that it is an industry which ought to be helped and which should be helped.

Coming to the Resolution, Sir, the first three parts of it consist of one recommendation, namely, the appointment of a Sugar Board. You will be pleased to note that in paragraph 371 of the Sugar Committee's Report, the Committee recommended:

"that a strong permanent board which might be known as the Indian Sugar Board should be immediately appointed."

The Government has not established this Board even to-day, though more than six years have elapsed. Further on we find that they say that the expenditure for the establishment of a Sugar Board would be practically insignificant. It was therefore necessary that the Government should have established that Board at once. Certainly they might have objected to the research institute on account of financial difficulties. I shall come to that later on; but at any rate this Sugar Board could have been established long long ago, after the report was out, especially when the amount needed was very insignificant. They have also recommended that out of the eleven members of this Board there should be six non-official members; and the Committee considered that after some time it should be possible to hand over the entire board to a non-official body, which shows clearly that they recommended in a way a non-official Board. As regards money, Sir, I submit that the Government has realised a very big amount as the difference in duty by levying a specific rate of Rs. 4-8-0 per cwt. instead of the 25 per cent. duty they had before. I have calculated the figures, Sir; it comes to about 2 crores a year. If only this amount had been put at the disposal of the Sugar Board, a research institute and the sugar school that they recommended would have been established. I think the recommendations ought not to have been thrown out on the score of financial stringency. Perhaps it might be said that on account of financial difficulty the Government required this revenue for other purposes. But, Sir, as I stated the other day, I consider that it is the duty of Government to spend the amount realised from the customs duty on the development of the industry from which the revenue is realised—at least a portion of it. Sugar was threatened. The Government realised their duty that it should be saved and protected. After that, Sir, the first charge on the custom revenues levied on sugar ought to have been the establishment of sugar schools and the research institute. The first recommendation in this Resolution, therefore, is that the Sugar Board should be established at once; and for the money that is needed, the difference between the 25 per cent. duty and the Rs. 4-8-0 per cwt. duty should be put at their disposal. This is my specific recommendation; but I do not mind whether the whole amount is placed at their disposal or a portion of it sufficient to comply with the recommendations of the Committee. The thing that we want is that the

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recommendations, the practically unanimous recommendations of the Committee should be carried out as soon as possible. They should not be delayed any further; otherwise, Sir, after the whole industry has been killed, what is the good of helping it? After the industry is killed you may levy prohibitive duties or you may in any other way help it; but the industry will not be revived. This is the proper time when you can do it; when you ought to do it. If, just after the war, the Government had taken steps to have these recommendations carried out, then the industry would not have been in these difficulties at all. We may be told that the cultivator of this country is a man of very conservative habits; but is that the reply? Who has made him conservative? May I inquire how many schools and colleges are there where you give vocational training or agricultural training? You have so many schools and colleges and turn out boys unfit for the agricultural profession. How can you blame then the illiterate cultivator and say he is very conservative? I have repudiated and I repudiate the charge now with all the emphasis at my command, that the cultivator of this country is not conservative at all. I have seen farmers taking to every improvement that is possible; but the difficulty is that the officer of the Agricultural Department cannot go to him and speak to him in his own language. You issue books and pamphlets not in his language but in the English language and you sell them at prohibitive prices. I have myself been getting pamphlets issued by the University of California in America: they pay the postage; they do not charge me anything. But in India, Sir, small pamphlets of sixteen or eighteen pages are sold at the rate of 8 annas or 12 annas or even a rupee; and mind you, they are written in English as if this was a country in which only English people lived. What is the good of issuing these pamphlets and books written in English I cannot understand; and then the pamphlets and the books issued in the vernacular deserve to be put in no better place than the waste paper baskets. If you see them, you would have an impression that these agricultural people are fools and that they do not understand even common place things. That is the spirit in which the books are written; that is the spirit in which even the journals are written. This is the complaint which is covered in the next recommendation in which I have said that the pamphlets and books should be published in the vernacular of the cultivator. It is but necessary that the Government should see that when their experts bring out certain discoveries or recommend certain scientific methods of cultivation, they should write out those things in the language which can be understood by the cultivator so that it can be of any use to the farmer. I am sure that if any propaganda of that nature is carried on, at least my district or division will be the first to take up all those suggestions. Perhaps it will be gratifying to know that in my district you will find that the largest area under sugar-cane is sown with the Coimbatore varieties. This clearly shows that people are willing to take it up, provided you give them proper facilities and proper information.

The other recommendations, Sir, which I consider very important are about irrigation facilities, manure and other things. About irrigation and manure facilities I would point out a few things. This is not the time to go into the details, but there are just one or two points. As far as irrigations goes, either the people resort to canals or to wells.

Now, with regard to canals, in the whole of the United Provinces these are opened intermittently, and the result is that whenever the cultivator requires water he does not get it; he has to wait for a month to irrigate his field. If there is a constant supply of water, naturally he will be able to grow better varieties of cane. This is the reason why he does not want to replace his canes by other varieties of canes: not because he is conservative but because he does not get a sufficient water supply from the canals at a time when he needs it. The intensive cultivation of any crop requires better facilities, and no man would go in for it—as it entails greater cost—unless he is assured that at least he will get sufficient water at the proper time.

Then again, Sir, there is a very good recommendation of the Sugar Committee about electrical energy being produced from the different falls in the United Provinces. I know, Sir, the Superintending Engineer, Meerut Division, told me that the United Provinces Government has applied to the Central Government for a loan for developing the energy at Bobla. More than 3,000 horse power is available there, and there are a good many falls of that nature on the Ganges canal from which electrical energy can be produced, and if that energy were utilised for working tube wells in the Meerut and other adjoining districts, there will be sufficient amount of water facilities. But I am afraid, Sir, that about 500 horse power has already been taken for luxury purposes to light and supply fan to the urban area and the balance of power available will also be utilised in the same manner as the Government considers that unless the illiterate people are willing to enter into contracts for electric energy they can do nothing in the matter. It is certainly an absurd proposal. If the people are illiterate and do not understand the case of the energy, the Government ought to put their own tube wells, give water to the cultivators and charge water rates. That is one method, or you can sell the entire energy available to the District Boards and it may be utilised for irrigation and other agricultural purposes by them. At any rate I consider that the first claim to all these falls should be that of the cultivators, and they should be told that it is to their advantage to utilise this energy. If we can obtain this electrical energy we shall be able to crush our canes at a very low cost and at the same time the percentage of juice extracted will be much higher than we get to-day. There will be water facilities available and the country will be in a much better and prosperous condition.

There is another point, Sir, to which I should like to invite the attention of the House, and that is with reference to manures. In this country there are no manures available, and the only manure that you can recommend to a cultivator is the green manure, but he is charged the same rate for it as he would have paid for ripening the same crop. I do not think the Government is justified in doing so. After all, the crop that is used for green manure does not require the same amount of water as is required for maturing the same crop. If the water rates for green crop are abolished, the manure will be available at a very cheap cost. With regard to manure, I am shocked to find that the amount of oil cakes and bone meal exported from this country is daily increasing, and it is a matter for regret that the Government has not taken steps to levy higher duties to prohibit the export of these commodities. We find, Sir, the export of oil cakes increased from 91,000 tons valued at 211

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lakhs to 236 lakhs tons valued at 253 lakhs. And about the bones and bone meal, the same is the story, and there has been an increase in the export of bone and bone meal. The Government has not realised this even to-day. I am sure the phosphoric contents of our soil are decreasing practically every day, and that is why the vitality of our people is also decreasing. A comparative analysis of the grains produced in this country with those produced in other countries will, I am sure, disclose the glaring fact that the phosphoric contents of the grains grown here are much less. The only phosphoric supply is contained in bone, and what steps have Government taken to ask the people to use this commodity? If there was bone meal available, we could very well distribute it among the people and ask them to use it and if they were satisfied with its results, certainly there would have been a very great demand for it. I know Sir, from personal experience that only a few years ago there was no demand for oil cakes in my province. But the Government purchased a very large quantity of oil cakes and distributed it among the people and the result was that next year there was a very big demand for oil cakes all over the province, and large quantities of oil cakes are being consumed to-day as manure. The Government has got their own factory at Manori where oil cakes and decorticated seeds and other things are sold. These things can very well be distributed by the Agricultural Department themselves.

Then the other recommendation is that scholarships should be awarded to suitable graduates to encourage them to go abroad to study the cultivation of sugar-cane and the manufacture of sugar, so that when they return to this country after completing their education they might be able to instruct the cultivators and thus help the development of the industry. In the Resolution, Sir, there is a recommendation to offer at least three dozen scholarships to Indian graduates to study the scientific and up-to-date methods of sugar-cane cultivation and sugar manufacture. I hope the Honourable Member will not consider this number a very excessive one, because there are many countries growing sugar-cane and manufacturing sugar with different sorts of soil and different methods of cultivation, and it is therefore very necessary that we should have people with experience of different countries different climates and different soils, so that they may be able to take charge of different places which have varying climates in this country. India is not a small place. Even in our province we find that different climates and soils exist and therefore it is necessary that a number of people should go abroad to study the sugar industry under different conditions so that they may tell the people here what is the right method to adopt in the different provinces. I am not at all disappointed, Sir, that our industry will not be able to compete with the industry in other countries, because if the Government affords us the necessary facilities we shall certainly be able to compete with any country in this matter. I know, Sir, Java at one time was producing much worse qualities of canes when they started the cultivation of sugar-cane and Java was forced to import canes even from India for cross breeding and after that they could produce very good qualities of canes there. If you had started at that time possibly you would have done the same thing. But we find, Sir, that even to-day though the recommendation was quite clear that thick and medium canes should be developed

the development of thick canes have not been taken at all. Only recently I was told that they have begun some work in thick canes. I would submit, Sir, that the Sugar Committee found that the indigenous canes of this country are absolutely free from disease. That is the main point with our canes, while the imported canes have many diseases. That is why our indigenous canes have survived for so many years in this country. If you want to substitute these canes by better canes you will have to see that the new diseases are not imported along with the canes. Different canes will have to be found for different soils and climates of this country. The differences in climate and soil will be quite apparent from the fact that in the United Provinces there are places which can produce sugar-cane without irrigation, and even in places where irrigation is necessary only five waterings are enough, while in Bombay we have 17 waterings for sugar-cane. This clearly shows under what different circumstances we are working. There is so much difference in climate and soil that it is very necessary that a large number of people should learn the manufacture of sugar and the cultivation of cane, so that they may be able to give some advice to the people living in different parts and working under different climates.

Mr. President: The Honourable Member has left the Standing Order regarding the time limit far behind.

Mr. Mukhtar Singh: I am very sorry, I shall not take more than five minutes.

Mr. President: Order, order.

Mr. Mukhtar Singh: Only a minute, Sir. I have not said anything about the last item (g). I would simply point out that on page 17 of the Sugar Committee's Report they clearly said that we should provide the same facilities in the way of an institute in this country as Java has.

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): Sir, I move:

"That at the end of the Resolution the following be added:

'(h) to take steps to impose protective duties on the import of sugar into India, and

(i) to arrange that railway freights regarding sugar and jaggery be adjusted in such a way as best to promote the interest of the sugar industry'."

Sir, I am not a sugar expert, nor am I a cultivator of sugar. But the sugar industry is a national industry in every sense of the word and it is one of those industries in which lakhs and lakhs of my countrymen find employment and their livelihood. In India, where many people are vegetarians also, sugar enters very largely into their daily victuals. I can remember from my childhood many orthodox people among Hindus who would not touch foreign sugar, and even now I can count many relations of mine who have not touched foreign sugar in their whole life, and there is good reason for it. The other day the Honourable the Leader of the House was pleased to remark that Great Britain wanted to see India prosperous and happy. I have no reason to doubt that statement, Sir. If India can remain happy and prosperous without any of her interests clashing with those of Great Britain I do not doubt for a moment the complacent attitude of the members of the Government. But if the interests of India do come into clash in any respect with the interests of Great

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Britain, I think it is my duty to submit that the policy of the Government has so far been that the interests of the weaker must go to the wall. The history of the sugar industry in this country, if it is indicative of anything, is indicative of the fact that the interests of the sugar industry in India have been sacrificed by the benign British Government for the interests of Mauritius, her own colony. There was a time in the history of India when sugar was exported out of India in very large quantities.

Colonel J. D. Crawford (Bengal: European): I rise to a point of order. Sir. Is there a quorum?

Mr. President: When was the last count taken?

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): Ten minutes after three.

(The time at this moment was 5 minutes to 4.)

Mr. F. W. Allison (Bombay: Nominated Official): Seven minutes to three was the exact time.

Mr. President: I am told by Mr. Bajpai that it was ten minutes after three.

Mr. G. S. Bajpai: I was not a very careful observer of the time. I have just stated my opinion about it.

Mr. President: As there is some difference of opinion I would not like to take the recount now. I will wait till ten minutes past four.

Pandit Thakur Das Bhargava: I was submitting, Sir, that there was a time when India exported sugar in very large quantities. There was enough to satisfy the domestic needs of the country and the surplus produce was exported to England and other countries. As far back as 1800 the exports of sugar from India to Great Britain amounted to 120,471 cwts. In 1821 the export amounted to 277,228 cwts. and in 1840 they increased to 1,000,000 cwts. In the year 1847-48 the total exports from India were in the neighbourhood of 1,229,000 cwts. valued at about Rs. 1,66,28,524. Now, Sir, if we study the history of this commodity we will find that there are about three or four cycles into which it can be divided. As I am afraid that after ten minutes it will be held that there is no quorum I will not go into those details at present. Without going into the history I will only point to one aspect of the question, and that is this. In the year 1899 when the sugar industry of Mauritius was hit by the competition of Austria and Germany and other places, all the commercial interests of Mauritius and the colonies made a great row and they went to the Secretary of State and he sent the draft of an anti-bounty legislation to India. Though one Governor General had the courage not to put that legislation into force his successor took the opportunity and passed the anti-bounty legislation. The effect of that legislation was especially propitious to the interests of Mauritius. In that inquiry and in those days the indigenous interests of India were not paid any heed to whatever. Subsequently, when it came to be found out that the Mauritius industry was killing Indian interests outright, in 1911 an attempt was made by Pandit Malaviya and others to ask the Government to impose protective duties, and the late Mr. Gokhale asked for an inquiry to be made, and the Government

had not at that time even the courage to order an inquiry and do some sort of justice to India. Subsequently, after that, had it not been for the intervention of the war, by this time the sugar industry would have been killed. But fortunately in times of war the dying sugar industry got a fillip, and to-day we find that the industry is in a normal condition in the sense that it has not got the advantages which the times of war afforded and we can see to-day how the industry stands. It would pain all the Members of the House to see that that sugar industry is in a moribund condition, and unless the Government came to its aid in proper time, the industry would have seen its last days. It has been pointed out by my friend, Mr. Mukhtar Singh, how the cultivator cannot make both ends meet so far as the cultivation of sugar is concerned. Now, Sir, as I have submitted, from a long time past the attempt of Indian publicists has been to ask this Government to impose protective duties. When the Sugar Committee was appointed, we know they made recommendations in regard to the promotion of this industry, but so far as duties were concerned, they desisted from making any specific recommendations. They were under the impression that since Fiscal Commission was coming on, they should rather postpone this matter for the consideration of the Commission so that on page 348 you will find the recommendation which they made and which I need not repeat. Subsequently, Sir, the Fiscal Commission came in and they also desisted from making any specific recommendations. To-day the position is this that since 1920 there has been no inquiry, and unless an inquiry is made and justice is done to this industry, it is bound to suffer grievously. England wants to protect such industries, it would seem, in which her interests do not clash with those of herself. I am in haste, Sir, and I think I have finished the first point.

As regards the second point (i) of the amendment I would only submit that the Fiscal Commission inquiry (paragraph 126) was not followed up and a complaint is always made in regard to this particular. Last time at the time of the discussion of the Railway Budget this thing was pointed out, and I would add my feeble voice to the voice of my countrymen that the railway authorities should conduct themselves in such a manner that this industry finds all the help which the State can give.

With these words, Sir, I support the amendment.

Mr. G. S. Bajpai: Sir, I should like in the first place to congratulate Mr. Mukhtar Singh on a very thoughtful speech. It is of good augury for the future of agriculture in this country that practical agriculturists like my friend, Mr. Mukhtar Singh, should have an interest in the application of science to agriculture. He has traversed very wide ground, Sir, so has the Honourable Member who followed him; and I do not think that at this late hour it is desirable that I should try to follow my friend, Mr. Bhargava, into the historical excursus which he made, or, for that matter, try and answer point by point all that my friend Mr. Mukhtar Singh, had to say about what he imagines to be the sins of commission and omission of Government. The position is that the Government of India, when the Report of the Sugar Committee was received, found themselves faced with two factors. One was the impending transfer of agriculture to the provinces and the leaving to provincial Ministers of the control of agricultural administration. The other factor, and a very important factor, with which they found themselves faced was financial stringency. What happened, therefore, was that the bulk or to be precise nearly half, of the recommendations made by the Sugar Committee

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which related specifically to provinces or particular areas were quite naturally left to the provinces to deal with. The main recommendations which concerned the Government of India were (1) the formation of a Sugar Board, (2) the foundation of a Research Institute, and (3) the establishment of a pioneer sugar factory in Northern India. The Sugar Board, about the non-creation of which Mr. Mukhtar Singh has complained, was intended by the Committee to look primarily and exclusively after the work which was to be entrusted to this Research Association the establishment of which the Committee recommended. Now the cost of founding this Research Institute as well as of the pioneer sugar factory was in the neighbourhood of Rs. 91 lakhs non-recurring and the recurring cost of running the Research Institute and the Board was estimated at something like Rs. 12 lakhs per annum. In the post-war financial stringency it was not possible for the Government of India to undertake expenditure running into 91 lakhs non-recurring and 12 lakhs recurring. That really was the reason why it was not found possible by the Government of India to give effect to those three recommendations,—not any lack of sympathy with the industry or any lack of desire to see that industry placed on a modern and scientific basis. But certain other recommendations which it was in their power to give effect to without waiting for better or improved financial prospects were given effect to, and I shall mention two. One of these was the establishment on a more effective basis of the Sugar Bureau at Pusa,—this Bureau has done extremely good work during the last few years. I shall describe its activities briefly. It maintains a library of information relating both to the cultivation of sugar-cane and to methods of the manufacture of sugar. Then it has a well-organized cable service which it has utilised to collect information about sugar crops and the manufacture of sugar abroad and to disseminate that information to those who are interested either in the cultivation of sugar or in the manufacture of sugar in this country. The third thing which this Bureau at Pusa does is to give such scientific or technical advice as Local Governments or firms engaged in the sugar industry may require. Mr. Wynne-Sayes is a specialist and he has I think only recently returned from a trip to Bombay where the Local Government had asked for his assistance—assistance which was very readily given. The second or, rather, another recommendation of the Sugar Committee to which the Government of India have already given effect is the taking over of the cane-breeding station at Coimbatore in Southern India. Until 1925 that station was under the control of the Provincial Government. Since then it has been under the control of the Government of India. Nearly a quarter of a million rupees have already been spent on the extension of that institute; and according to the latest report which I have I find that the medium quality of sugar-cane which they have produced at that station is becoming rapidly popularized in Bihar and Orissa and also in the Punjab.

So, Sir, it is not strictly speaking correct to say that the Government of India have completely shirked their responsibility or that they have been apathetic to the interests of the sugar industry or to the requirements of the cultivation of sugar-cane. They have consistently with their resources, done what it was possible for them to do, and consistently the constitutional position they have done what it was proper for them to do. When I say that, I do not contend that all that it is possible for

the Government of India to do, bearing in view the all-India character of this industry and the desirability of co-ordinating research and unifying action in regard to research, and, what I might call, experimentation in regard to pioneer methods of manufacture, has been done. My Honourable friend Mr. Mukhtar Singh said that he thought that the Government of India were really playing with the recommendations of the Sugar Committee, that they were more interested in promoting the sugar industry in Mauritius and elsewhere seeing that Mauritius was entirely incapable of competing with the highly scientific and economical product of Java, that they had given up all interest in the Indian industry. That, Sir, is not the position; they are not playing with the Report of the Sugar Committee. I have given a few instances of what they have done; and although it is perfectly true, as Mr. Mukhtar Singh says, that the sugar industry as such or the cultivation of sugar as such, does not figure in the questionnaire of the Agricultural Commission, I avail myself of this opportunity to inform him that the Agricultural Commission has been paying special attention to the report of the Sugar Committee. It was because the Sugar Committee had made a special investigation of this industry and of problems relating to or connected with this industry that it was not considered necessary by the commission to recover or re-traverse the ground covered by the Sugar Committee. They thought they would take over the report and make it the basis of investigation and recommendations in the altered constitutional position which exists in India to-day; and I may further inform the House, Sir, that evidence was actually laid before the Royal Agricultural Commission by the Indian Sugar Producers' Association and by others interested in this industry; and the Government of India hope, Sir, that as a result of the fresh examination of the problem which the Royal Agricultural Commission has been able to undertake, they will have valuable and more up-to date recommendations in connection with or relating to the cultivation of sugar-cane and to the manufacture of sugar.

Mr. Mukhtar Singh: The questionnaire issued by the Royal Agricultural Commission does not contain any question pertaining to the sugar industry as such.

Mr. G. S. Bajpai: I am sorry, Sir, that I did not make myself clear to my friend Mr. Mukhtar Singh. I did admit that the Commission did not issue a detailed questionnaire about the sugar industry; but the reason for that, as I explained, was that they had before them the Report of the Sugar Committee which was fully exhaustive and which had traversed the whole field; and I further said that special evidence was laid by those primarily interested in the manufacture of sugar in this country, namely, the Indian Sugar Producers' Association. It is regrettable that the Commission did not realise the special and the keen interest which my friend opposite had taken in the cultivation of sugar; otherwise I am quite sure that they would have availed themselves of the opportunity afforded by my friend appearing before them to elicit such information as they could from him and from his personal experience. So, Sir, the position is not that the Government of India are apathetic to the industry or that they are neglectful of the recommendations made by the Sugar Committee. They are now awaiting the recommendations of the Royal Commission on Agriculture who are seized of this problem and I can assure my Honourable friend opposite that the recommendations made by that Commission as well as the suggestions which my Honourable friend has made in the course

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of the discussion to-day—and they or, some of them at any rate, are very valuable suggestions—will receive the prompt and sympathetic consideration of Government as soon as the Report of the Royal Commission on Agriculture is received. Of course we are hoping that the Report will be published by the end of next month and we shall proceed to the examination of it as soon after that as possible.

I do not propose, Sir, to go into the detailed recommendations which are embodied either in the main Resolution or in the amendment which has been moved by Pandit Thakurdas Bhargava. I would say this, that a good many criticisms of detail which my friend Mr. Mukhtar Singh made ought really to have been addressed to the Government of the United Provinces and also discussed in the United Provinces Legislative Council.

Mr. Mukhtar Singh: May I inform my Honourable friend that I have done it and I have failed, because I was told there that the work was for the Central Government to do. I was in the Council when the Sugar Committee's Report was published.

Mr. G. S. Bajpai: I am sorry, Sir, that judging from what he has stated, the Government of the United Provinces should have tried to put off my Honourable friend. The Government of India will consider the desirability of forwarding to the Government of the United Provinces his complaints and his suggestions for such action as it may be within their province to take. But there is one point, Sir, which I would like to lay stress on, and that is the proposal to earmark a large part of the surplus that may accrue from the quantitative or specific import duty on sugar, which has been imposed since 1925. The Honourable the Finance Member, Sir, the other day stated a financial truism which nevertheless embodies a sound financial principle that you cannot earmark the yield of a particular source of revenue for particular objects. There must be a common fund for purposes of expenditure and from that common fund you must make grants or you must set apart sums of money according to the exigencies of the situation. But I would remind my Honourable friend opposite that in the questionnaire which the Royal Commission issued both the question of tariffs and of sea freights occurs. I will invite his attention to question No. 21 which says:

"Do existing customs duties, (a) import tariff, and (b) sea freight, adversely affect the prosperity of Indian cultivators; if so, have you any recommendations to make?" so that that part is covered by the questionnaire which has been issued by the Agricultural Commission; so also is the question of fertilisers which my friend Mr. Mukhtar Singh raised. In view, Sir, of the explanation which I have now given—I admit that it has been limited in view of the fact that the time at my disposal has not been as ample as I should have liked it to be,—in view further of the assurance which I have given that the suggestions made by the Honourable Member will be considered in connection with the recommendations.

Maulvi Muhammad Yakub: Have we got a quorum, Sir?

Mr. President: Order, order (After counting the number of Honourable Members present.) As there is no quorum, the House stands adjourned till to-morrow morning, 11 o'clock.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 21st March, 1928.

LEGISLATIVE ASSEMBLY.

Wednesday, 21st March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

NAMES OF PERSONS ARRESTED UNDER REGULATION III OF 1818 DURING THE LAST THREE MONTHS.

494. ***Mr. Gaya Prasad Singh:** Will Government kindly state the names of persons, if any, who have been arrested, or otherwise dealt with, under Regulation III of 1818, during the last three months, together with the grounds of arrest, the place or places where they are confined, and the arrangements made for their residence and comforts?

Sir Denys Bray: The ex-Maharaja of Nabha only, with regard to whose case I would refer the Honourable Member to the communiqué of the 19th February.

Mr. Gaya Prasad Singh: May I know, Sir, what is the date of the warrant of arrest?

Sir Denys Bray: I could not say off hand, Sir; I imagine that it was a few days before the 19th February.

Mr. Gaya Prasad Singh: Is the warrant of arrest addressed to any one?

Sir Denys Bray: It is the usual warrant of arrest.

Mr. Gaya Prasad Singh: Will the Honourable Member be pleased to lay a copy of the warrant of arrest on the table?

Sir Denys Bray: I am not prepared to do that.

EXISTENCE OF SULPHUR SPRINGS AND OTHER MEDICINAL NATURAL WATERS IN INDIA OR BURMA.

495. ***Sir Darcy Lindsay:** (a) Will Government state whether there are in India or Burma sulphur springs and other medicinal natural waters having curative qualities likely to be beneficial to persons suffering from maladies amenable to such treatment?

(b) If the answer is in the affirmative, will Government please give information as to localities and accessibility thereto?

(c) Have Government considered the possibility of developing one or other of the springs for the benefit of the people of India who may not be in a position to proceed to Europe for treatment at the British or Continental Spas?

(d) What would be the estimated cost and maintenance charges and possible revenue? -

Mr. G. S. Bajpai: (a) and (b). The Government of India have no information, but will make inquiries.

(c) and (d). Do not arise at this stage.

CONSTRUCTION OF A PLATFORM TO THE SOUTH-WEST OF THE PESHAWAR CITY RAILWAY STATION.

496. ***Nawab Sir Sahibzada Abdul Qaiyum:** With reference to my question No. 1167 of 12th March, 1925, will the Government be pleased to state, if any action was taken by the Agent, North Western Railway, about the construction of a platform to the south-west of the Peshawar City railway station, for the convenience of the public and have Government drawn the Agent's attention to a note published in the newspaper *Partab*, dated Lahore, the 19th January last, on the subject?

Mr. A. A. L. Parsons: Government have received no information as to the action which was taken by the North Western Railway Administration, but I have sent a copy of the Honourable Member's question to the Agent, and on hearing from him will communicate with the Honourable Member.

QUESTION NOT PUT AT THE MEETING, OWING TO THE ABSENCE OF THE QUESTIONER, WITH ANSWER THERETO.

TOTAL AMOUNT, IN TONS, OF GOVERNMENT STORES SHIPPED TO INDIA.

497. ***Mr. Sarabhai Nemchand Haji:** Will Government be pleased to state the following facts for the years 1923, 1924, 1925, 1926 and 1927:

- (a) The total amount, in tons, of Government stores shipped to India from:
 - (i) The United Kingdom,
 - (ii) The Continent of Europe,
 - (iii) The United States of America, and
 - (iv) Other countries?
- (b) The tonnage of shipments and freight paid thereon during the first and second half of each month?
- (c) The number of freight contracts made during the first and second half of each month?
- (d) The number of British steamers in which the shipments were made during the first and second half of each month?
- (e) The number of foreign steamers in which the shipments were made during the first and second half of each month?

The Honourable Sir Bhupendra Nath Mitra: The attention of the Honourable Member is invited to tables Nos. 10A and 16 of the "Annual Statement of the Seaborne Trade of British India with the British Empire and Foreign Countries" and to the Annual Reports on the work of the India

Store Department, London, for the years 1924-25 to 1926-27, copies of which are available in the Library. These give all the information readily available with the Government of India on the points mentioned by the Honourable Member.

UNSTARRED QUESTIONS AND ANSWERS.

INADEQUACY OF THE PAY AND PROSPECTS OF SUPERINTENDENTS OF POST OFFICES.

428. **Kumar Ganganand Sinha:** Are the Government aware that there is a deep-rooted discontent amongst the Superintendents of Post Offices regarding the inadequacy of their pay and prospects? If so, what remedial measures are proposed to be taken in the matter?

The Honourable Sir Bhupendra Nath Mitra: The answer is in the negative.

DISSATISFACTION OF THE SUPERINTENDENTS OF POST OFFICES IN REGARD TO THEIR REVISION OF PAY.

429. **Kumar Ganganand Sinha:** Are the Government aware that the revision of pay of Superintendents of Post Offices sanctioned in the letter No. 11-P. T. E., dated the 15th March, 1926, from the Secretary to the Government of India, Department of Industries and Labour, to the Director General of Posts and Telegraphs, India, did not satisfy the demands made by them from time to time since 1921 and that the Postal Officers' Association expressed dissatisfaction and declared the revision disappointing by a telegram dated the 20th March, 1926, to the Honourable Member, Industries? If so, what action have the Government taken in the matter?

The Honourable Sir Bhupendra Nath Mitra: Yes. The telegram of the 20th however was addressed to the Director General, though a copy was sent to the Honourable Member, Industries and Labour. The Director General sent a reply to the Association on the 7th April, 1926, expressing his inability to take further action.

BENEFIT DERIVED BY SUPERINTENDENTS OF POST OFFICES FROM THE REVISION OF PAY SANCTIONED FOR THEM IN 1926.

430. **Kumar Ganganand Sinha:** Are the Government aware that the revision of pay of Superintendents of Post Offices sanctioned in 1926 has benefited a very small number of such officers and that the majority of them stand as they were before? If so, what do Government propose for the latter?

The Honourable Sir Bhupendra Nath Mitra: No. The second part of the question does not arise.

EFFECT OF THE REVISION OF THE PAY OF SUPERINTENDENTS OF POST OFFICES.

431. **Kumar Ganganand Sinha:** Will the Government place on the table a statement in the following form?—

Total number of Superintendents of Post Offices on the 1st April, 1926.	Effect of the revision of 1926.		
	No. of officers receiving Rs. 50 by the revision.	No. of officers receiving Rs. 20 by the revision.	No. of officers receiving Rs. 5 by the revision.

Mr. H. A. Sams: The information is being collected and will be furnished to the Honourable Member in due course.

ANNUAL INCREMENTS OF SUPERINTENDENTS OF POST OFFICES.

432. **Kumar Ganganand Sinha:** (a) Are the Government aware that in the case of the first class Postmasters the rate of annual increment is Rs. 30 whereas in the case of the Superintendents of Post Offices it is Rs. 20 up to a certain stage and then Rs. 25? If so, why this differential treatment?

(b) Do the Government propose to remove this grievance?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes, because officials in the Postmasters' line do not get promotion as first class or gazetted postmasters until late in their service.

(b) Does not arise since the Government of India do not admit the existence of any reasonable grievance in this case.

DENIAL TO SUPERINTENDENTS OF POST OFFICES OF CERTAIN AMENITIES ENJOYED BY FIRST CLASS POSTMASTERS.

433. **Kumar Ganganand Sinha:** Are the Government aware that first class Postmasters have certain amenities of life, *viz.*, free quarters, free conveyance, etc., which the Superintendents of Post Offices have not and that the former have a higher start (Rs. 350) than the latter (Rs. 300)? If so, why?

The Honourable Sir Bhupendra Nath Mitra: First-class Postmasters are provided with free quarters on the premises of the post office for the better performance of their duties. They do not get free conveyance for private use but in a few places, a conveyance is provided for them for the performance of journeys in connection with their official duties, for which no travelling allowance is granted. The minimum pay for first-class Postmasters is Rs. 350 because the maximum pay of the next lower grade of Postmasters is Rs. 350. They are moreover appointed by promotion and they are generally much older men with longer service than those appointed as Superintendents of Post Offices.

DAILY ALLOWANCES OF SUPERINTENDENTS OF POST OFFICES.

434. **Kumar Ganganand Sinha:** Are the Government aware that Superintendents of Post Offices in spite of being classed as first class officers

get Rs. 4 as daily allowance instead of Rs. 5 allowed in the other departments of the Government? If so, why?

The Honourable Sir Bhupendra Nath Mitra: The question of revising the travelling allowance rules in the Post and Telegraph Department is under consideration.

TRAVELLING ALLOWANCES OF SUPERINTENDENTS OF POST OFFICES.

435. Kumar Ganganand Sinha: Are the Government aware that Superintendents of Post Offices get only one and three-fifths instead of double railway fares for journeys on tour? If so, is the scale applicable to all other departments of the Government?

Mr. H. A. Sams: The answer to the first part of the question is in the affirmative.

As regards the second part, $1\frac{3}{5}$ railway fares are granted to officers of all departments of the Government of India for journeys on tour

COUNTING TOWARDS INCREMENTS OF OFFICIATING SERVICES OF CERTAIN SUPERINTENDENTS OF POST OFFICES.

436. Kumar Ganganand Sinha: Are the Government aware that the officiating services of certain Superintendents of Post Offices before their confirmation as such were not counted towards increment of pay and that all such officers memorialised in October, 1926, to the Honourable Member in charge of the Department? If so, how does their case stand and what is delaying the final orders in the matter?

The Honourable Sir Bhupendra Nath Mitra: The reply to the first part of the question is in the affirmative. The disposal of the case had to be deferred pending the settlement of an associated question, and it is expected that the memorials under reference will be answered at an early date.

SUPPLY OF GOVERNMENT PUBLICATIONS TO THE *TARJUMAN-I-SARHAD* OF RAWALPINDI AND THE *SARHAD* OF PESHAWAR.

437. Maulvi Mohammad Shafee: Will the Government be pleased to state why the Government of the North-West Frontier Province do not supply Government publications to the *Tarjuman-i-Sarhad* of Rawalpindi and the *Sarhad* of Peshawar which are devoted to the Province in spite of their repeated requests?

Sir Denys Bray: No requests for the supply of Government publications have been received from either of the newspapers mentioned.

The supply is in any case a matter at the discretion of the Local Administration.

CONDITIONS OF LABOUR CONTRACTS FOR THE HANDLING AND TRANSHIPMENT OF GOODS ENTERED INTO BY STATE-MANAGED AND COMPANY-MANAGED RAILWAYS.

438. **Mr. Jamnadas M. Mehta:** Will Government be pleased:

- (a) to state the terms and conditions of labour contracts for the handling and transshipment of goods entered into with contractors by State-managed and Company-managed Railways, and
- (b) to place a copy of such agreements of the East Indian, Bengal Nagpur, Great Indian Peninsula, and the Bombay, Baroda and Central India Railway Companies on the table, for knowledge and comparison?

Mr. A. A. L. Parsons: The terms of these handling contracts are settled by the Agents of the Railways. I am seeing if I can get for the Honourable Member copies of typical forms in which the contracts are made from the four Railways mentioned by him.

LOCATION IN SIMLA OF THE WIRELESS BRANCH OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

439. **Mr. Jamnadas M. Mehta:** Will the Government be pleased to state:

- (a) why the Wireless Branch only which in all respects is considered as part of the Director General of Posts and Telegraphs' Office is still located in Simla whereas the whole Director General of Posts and Telegraphs Office is in Delhi;
- (b) what the total expenditure is by locating the Wireless Branch in Simla;
- (c) what the total savings would be by bringing the Wireless Branch to Delhi;
- (d) what benefit the clerks will get if they are brought down to Delhi with the Branch; and
- (e) when the Wireless Branch will be brought down to Delhi permanently?

Mr. H. A. Sams: (a) The headquarters of the Wireless Branch is located in Simla for reasons of administrative and executive convenience.

(b) Rs. 10,558 per annum in Simla allowances, house rent allowances and winter allowances.

(c) Rs. 10,558.

(d) I would refer the Honourable Member to my reply given to Mr. Anwar-ul-Azim's question (No. 481) on the same subject on the 19th instant.

(e) No decision has yet been reached on the question of the future location of the headquarters of the Wireless Branch.

THE INDIAN TARIFF (AMENDMENT) BILL—*contd.*

Mr. President: The Assembly will now resume further consideration of the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, as reported by the Select Committee, clause by clause.

The question is:

“That the Schedule stand part of the Bill.”

Mr. Mukhtar Singh (Meerut Division: Non-Muhammadian Rural): Sir, I have already moved the first amendment standing in my name and I propose to-day to speak on the three alternative amendments at the same time. I was saying on the previous occasion that the amendment that has been sought to be made in the Indian Tariff Act is not to the advantage of this country. I find, Sir, from page 8 of the Review of the Trade of India that in England we are sending currants from this country; and though the full rate of duty is 2s. per cwt. in England, in the case of India they are admitted free. This shows that India does not only produce currants for its own use but also exports them outside India. If we reduce this duty, we shall be putting these growers of fruit in a worse condition. They will have to compete with the foreign currants which will be sold cheaper than they are selling now. It is a misfortune of this country that there are no statistics to show the area under fruit, nor do we know what fruits are grown in this country, nor are there any statistics to show what quantity of currants is exported outside this country. But I consider, Sir, that there is a certain amount of currants exported from this country. In that case we shall not only be allowing Greece to compete with the Indian product, but we shall also be allowing other countries to compete with our fruit growers. From the trade statistics we find that the total amount of currants imported into this country was 1,174 tons in the year 1926-27, and the value was Rs. 4,48,452. Out of this huge amount, Greece sent only 26 tons of currants into this country. This will practically mean that we shall be reducing the duty on currants simply because we have entered into an agreement with Greece and at the same time we shall be reducing the duty on the total value of currants imported into this country. Calculating, Sir, we find that the total amount of duty now levied on currants amounts to Rs. 67,260. By reducing this duty, we shall be reducing this amount to about Rs. 29,350; that will be a clear loss of more than Rs. 30,000 a year. That will be the total loss of revenue, and at the same time we shall be hitting hard the fruit grower in this country. The total amount imported from Greece amounts only to 4.6 per cent. In order to import currants from Greece which is only 4.6 per cent. of the total, we are reducing the duty over the balance of 95.4 per cent. also. I do not understand how it is sought to be justified that the total duty on currants should be reduced in this case. That is why there is another amendment in my name, that even if the Government consider that it is necessary to reduce the duty, then preferential treatment might be given to Greece, because in that case there will be a very small loss to the revenue and at the same time the competition with the fruit grower will not be so hard. We might be told that if we reduce the duty on currants we shall be meeting with very good treatment for our produce in Greece. I have prepared a list of all the articles that are sent to Greece and I find that the articles sent from this country to Greece are mainly

[Mr. Mukhtar Singh.]

raw produce. There seems to be no competition in Greece with raw articles imported from this country into Greece. In that case too I do not find that there is any necessity for reducing the duty. The Schedule attached to the *modus vivendi* contains manufactured articles also; but these manufactured articles are not manufactured in this country. If indigo had been to-day a manufactured article sent to Greece there might have been some justification; but we know as a fact that indigo cultivation has been stopped and there is no likelihood that the cultivation of indigo will revive.

Then, again, Sir, the lowest amount of duty that ought to be levied was 2s. Calculating at 2s. the duty ought to have been reduced to Re. 1-5-4, not to Re. 1-4-0. I do not understand, Sir, why the Government have agreed to this proposal especially when it was not incumbent on the Government of India to agree to it. The agreement was entered into between the United Kingdom and Greece and India was not a party to that. Therefore, Sir, I submit that my motion be carried and the amendment be not made.

The Honourable Sir George Rainy (Member for Commerce and Railways): I think, Sir, I can deal in very few words with the amendment voted by my Honourable friend, and I shall first deal with his contention that the terms of our *modus vivendi* with Greece are not in the interests of the country. The actual position is this. By means of this trade agreement India receives from Greece most-favoured-nation treatment for all its exports to Greece. The value of these exports amounts to quite a considerable sum and for the last 3 years, for which I have complete figures, the average value of our exports to Greece was Rs. 57 lakhs. My Honourable friend said he had ascertained that practically all the commodities we sent to Greece might be described as raw materials. But in fact that statement does not accurately represent the real facts of the case. Out of Rs. 57 lakhs of annual exports Rs. 32 lakhs are jute and cotton manufactures; that is to say, more than half the exports are not raw materials but are manufactured goods. Then he said that there was a danger that the reduction in the duty on currants might be prejudicial to the interests of those who grow currants in India. I think I ought to explain, Sir, that the term "currants" in trade usage has a quite technical meaning and applies only to a particular kind of grape, a small grape, which, so far as I know, grows only on the shores of the Aegean Sea. Our total imports of currants amount to something quite small, and in our trade returns I think they are combined with the imports of raisins, which is a different thing altogether and the reduction of duty does not apply to raisins.

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

I find, for instance, that in 1926-27 the value of the total imports under this head was a little over Rs. 4 lakhs and the imports from Persia accounted for about Rs. 3,80,000 out of this total. Now, currants are not grown in Persia and therefore it is evident that our imports of currants are very small indeed and I think it is certain that the admission of these imports at a lower duty cannot injure any Indian interest. Now, by virtue of the trade agreement we obtained very substantial advantages for our own exports to Greece because, had we not got most-favoured-nation treatment, the duties on our exports would have been substantially higher and the

volume of the trade affected is nearly Rs. 60 lakhs a year. On the other hand, what we gave up in the reduction of the duty is a very small sum indeed. The total imports of fruit and vegetables from Greece which includes currants is something less than Rs. 2 lakhs a year. It seems to me, Sir, that we made a very good bargain in this agreement. We gave up very little and we got something substantial.

The other point raised by my Honourable friend was that the matter ought to have been brought before the Assembly at an earlier date. The reason why this was not done arises purely out of the particular circumstances of the case. The agreement had to be negotiated as rapidly as possible,—I think it was in the month of September, 1926—and at that time we received two or three communications from the Millowners' Association of Bombay urging the Government of India to take immediate action, because the Millowners' Association was apprehensive that, if they did not get most favoured nation treatment, the exports of cotton manufactures to Greece would be prejudiced. In the ordinary course the change in the law would have been brought before the Legislature in the cold weather of 1927. But on that occasion no Tariff Bill was brought forward owing to the fact that we had the Steel Protection Bill on our hands and it was not found possible to put forward a separate Tariff Bill, the pressure on the time of the Assembly being too great. Again, in September last we had a Tariff Bill, but on that occasion it was necessary to confine our proposals strictly to those which arose directly out of the report of the Cotton Tariff Board. This Session therefore is really the first opportunity we have had of bringing forward this particular proposal. I do not think, Sir, I need dwell on the subject longer. I have already explained that the agreement is an extremely favourable one to India, because we gave up very little and we gained something substantial, and that there has been no desire or intention whatever to withhold the matter from the knowledge of or from interference by the Legislature. I may add that at the time the agreement was made full publicity was given to it and we received—I think it was from South Indian Chamber of Commerce—a letter in which they thanked the Government of India for the action taken.

Mr. Mukhtar Singh: Do I understand, Sir, from this that currants are not imported from any other country than Greece?

The Honourable Sir George Rainy: I think, Sir, that possibly some currants are imported from Turkey and would be so shown in the Trade Returns. But my information is that this particular kind of grape is grown practically only on the shores of the Aegean Sea, that is in Greece, or possibly on the Islands now in the possession of Italy or possibly from Turkey.

Sir Victor Sassoon (Bombay Millowners' Association: Indian Commerce): Sir, I should like to congratulate the Government on the action they have taken in this respect. I may say that at one time we were finding that our Indian piecegoods were suffering from a penal import duty when shipped into Greece and therefore our difficulties in competing with Japanese piecegoods in Greece were very seriously increased. We thought that the mere fact that Great Britain had a reciprocal treaty with Greece would enable us to enjoy the advantages that Lancashire goods had, but apparently there was some doubt in the matter, and I am glad that the Government have, by their present agreement, enabled us to compete with Japanese and even Lancashire piecegoods on even terms.

Mr. Mukhtar Singh: With your permission, Sir, I beg to withdraw the amendment.

The amendment* was, by leave of the Assembly, withdrawn.

† **Sir Walter Willson** (Associated Chambers of Commerce: Nominated Non-Official): Sir, there is an amendment in my name. I rise to move.

"That in the Schedule to the Bill amendment No. 25 be omitted."

and I do so, Sir, for reasons of principle entirely. The effect of this clause 25, if it remains in the Bill, is to place a higher import duty upon white Portland cement which, if this clause be not inserted, would come in at the same rate of duty as all other forms of Portland cement. I have said that I object to it, first of all, on principle, partly because, of course, as is very well known, commerce prefers specific duties to *ad valorem* duties. In the second place, I object to this discrimination, and I should like to remind the House that a year or two ago, when we were fixing a specific duty on the imports of Portland cement from abroad, we were guided to a considerable extent by the state of the cement trade in India. Therefore, when we actually fixed the rate, we threw a few annas or whatever it was, just the balance, into the scale, fixing the duty at a little higher scale than the true percentage would have worked out at. I admit that that is a small point, but I only mention it to show that we gave the benefit on the high side to the import duty. Now, we are asked under this Bill to take this Portland cement out of the specific duty rate and let it come in under an *ad valorem* duty, rate on which it would have to pay a higher rate of duty per cwt. The ingredients in these two kinds of cement are, I might put it to you, practically the same. There is a difference in the percentage of each of the ingredients used, but in my view that difference in manufacture is a totally insufficient reason for changing the duty from a specific to an *ad valorem* rate. I understand further that the effect on the revenue, if this clause be persisted in, is very small; but I do ask the House to subscribe to the principle that having decided to impose a specific duty upon cement we do adhere to that and we do not try to take out of the list one particular class of cement merely because it happens to be of a higher value. I expect, Sir, to receive the support of all the commercial men in the House on this principle.

The Honourable Sir George Rainy: Sir, the first comment I wish to make on the amendment that has been moved by my Honourable friend, Sir Walter Willson, is that, as it stands, it will not be effective in securing the object which he has in view. He has overlooked, I think, item No. 17 in the Schedule which is to the following effect:

"In Item No. 46, the words 'excluding white Portland cement' shall be added."

If item No. 17 on the Schedule remains, then even though item No. 25 is removed, as my Honourable friend proposes, I am afraid the result would be that the white Portland cement will have to pay the higher duty.

Sir Walter Willson: Of course, I did not note it. As my Honourable friend has pointed that out to me, I propose the deletion of item No. 17

*"In the Schedule to the Bill amendment No. 14 be omitted."

† Speech not collected by the Honourable Member.

as well. (*An Honourable Member*: "It is a consequential amendment") It is a consequential amendment.

The Honourable Sir George Rainy: I do not wish to raise any objection to that course, but I thought it proper that I should point it out to my Honourable friend. Obviously, if the House were to decide on the omission of item No. 25, then clearly all necessary consequential amendments ought to be made.

I agree with my Honourable friend, Sir Walter Willson, that the financial effect of this proposal on the revenue is not a matter of any great importance. It will mean a small additional revenue if it is carried, but if my Honourable friend succeeds in getting this item omitted, the revenue we shall lose is something very small. But I am afraid I cannot go with him on the question of principle. In the first place, I should like to point out that the specific duty of Rs. 9 a ton originates with the report of the Tariff Board on the cement industry, and the reason why it was proposed was this. Owing to the fall in values which was taking place at that time it seemed likely that the 15 per cent. duty which had been about Rs. 9 a ton on ordinary Portland cement was likely to fall to perhaps Rs. 8 or Rs. 7-8-0 a ton. I believe I am right in saying that, when it was decided in this House that the duty should be made specific and fixed at Rs. 9 a ton, part of the underlying intention was that the cement industry should not be prejudiced at that stage by a reduction in the rate of duty. Now, my Honourable friend has said that the commercial world generally always prefers specific duties. I can well understand that in many cases that must be so, for there are obvious conveniences about a specific duty. But I am afraid I cannot go with him in any assertion that once you have fixed a specific duty for a commodity which bears a particular name, then that specific duty ought to be applied indiscriminately to everything that bears that name regardless of the value of the particular class of the commodity which happens to be concerned. If that principle were once accepted, the effect on our revenue might be very serious indeed. I can mention many commodities, all of them bearing the same name, but varying very greatly in value. If, then, it were proposed to have a single specific duty for a certain commodity of that kind, either it would have to be fixed so high as to be a very serious burden on the low valued class, or it would have to be fixed so low that the loss of revenue on the high valued class would be very serious. In this particular case white Portland cement is used for special purposes and it is much too expensive to be used for the ordinary purposes for which ordinary Portland cement is used. It is, I think, almost an accident that it bears the name of Portland cement, and that was a point which was closely examined by the Central Board of Revenue before it was decided to legislate, because for some time it was not clear whether or not it was properly classed as Portland cement. It was finally decided that that was the trade name and that, unless the law was altered, it must be subject to the Rs. 9 duty. The average value of this white Portland cement is more than double the value of the ordinary Portland cement. When this is so, I cannot for one moment accept the view that an article which is twice as valuable and is used for a different purpose must bear the same rate of duty as the ordinary article which bears that name. It would be a very serious precedent and might make the administration of the tariff very difficult indeed. For these reasons, I am afraid I must oppose the amendment proposed by my Honourable friend, Sir Walter Willson.

***Mr. Fazal Ibrahim Rahimtulla** (Bombay Central Division: Muhammadan Rural): I have listened to the speech of the Honourable the Commerce Member and I am sorry I cannot find my way to agree with him. Sir Walter Willson and I definitely pointed out to him in the Select Committee that, if he agreed to change the name to something else, instead of white Portland cement, as it is a different material, then the question of principle would be solved and we would not object to it. Our objection is on principle, and I do not think the Honourable the Commerce Member has met that point. He admits that that point is serious and might involve some consideration as regards the tariff values of other commodities. Our point of view is this, that the name being the same there should not be different treatment for the particular article. Having recognised the fact that there is a specific duty, we have pointed very clearly out in our amendments that there should not be a fluctuation when there is a specific duty, and I hope the Commerce Member will see his way to accept the principle which we have pointed out to him in the Select Committee that, if there are commodities of the same name, we are at a loss to see why there should be a different treatment simply because the value of one commodity is double that of the other.

The Honourable Sir Basil Blackett (Finance Member): I wish to answer the last point raised by Mr. Rahimtulla. The position is really quite simple. When the *ad valorem* duty was changed into a specific duty, the intention was to make the specific duty nearly, if not quite, the same as the previous 15 per cent. *ad valorem* duty. What we actually succeeded in doing was to make the duty about 7½ per cent. on this particular kind of cement. That was an obvious mistake which it is obviously desirable to rectify now.

Mr. Deputy President: The question is:

"That in the Schedule to the Bill amendments Nos. 17 and 25 be omitted."

The Assembly divided:

(During the Division Mr. Deputy President vacated the Chair, which was resumed by Mr. President.)

AYES—29.

Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur
Haji.

Ahmed, Mr. K.

Aney, Mr. M. S.

Birla, Mr. Ghanshyam Das.

Chaman Lall, Diwan.

Chetty, Mr. R. K. Shanmukham.

Crawford, Colonel J. D.

Dutt, Mr. Amar Nath.

Dutta, Mr. Srish Chandra.

Goswami, Mr. T. C.

Gulab Singh, Sardar.

Haji, Mr. Sarabhai Nemchand.

Ismail Khan, Mr.

Jogiah, Mr. Varahagiri Venkata.

Kelkar, Mr. N. C.

Kunzru, Pandit Hirday Nath.

Lamb, Mr. W. S.

Mitra, Mr. Satyendra Chandra.

Mohammad Ismail Khan, Haji

Chaudhury.

Moore, Mr. Arthur.

Naidu, Mr. B. P.

Nehru, Pandit Motilal.

Rahimtulla, Mr. Fazal Ibrahim.

Sarfraz Hussain Khan, Khan

Bahadur.

Singh, Mr. Gaya Prasad.

Sinha, Kumar Ganganand.

Sykes, Mr. E. F.

Willson, Sir Walter.

* Speech not corrected by the Honourable Member.

NOES—45.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crerar, The Honourable Mr. J.
 Dalal, Sardar Sir Bomanji.
 Das, Mr. B.
 Gidney, Lieut.-Colonel H. A. J.
 Gour, Sir Hari Singh.
 Graham, Mr. L.
 Irwin, Mr. C. J.
 Joshi, Mr. N. M.

Jowahir Singh, Sardar Bahadur
 Sardar.
 Keane, Mr. M.
 Lindsay, Sir Darcy.
 Malaviya, Pandit Madan Mohan.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Muhammad Nawaz Khan, Lieut.-
 Sardar.
 Mukherjee, Mr. S. C.
 Mukhtar Singh, Mr.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rang Behari Lal, Lala.
 Rao, Mr. V. Pandurang.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Sams, Mr. H. A.
 Sarda, Rai Sahib Harbilas
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Suhrawardy, Dr. A.
 Taylor, Mr. E. Gawan.
 Young, Mr. G. M.

The motion was negatived.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I move:

“That the Bill, as amended, be passed.”

The motion was adopted.

THE STEEL INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill to provide for the modification of certain import duties relating to the protection of the steel industry in British India, as reported by the Select Committee, be taken into consideration.

The Select Committee in the case of this Bill has made certain important changes. As the Bill was introduced in this House the most important provision it contained was the increase in the rate of duty applicable to railway wagons, carriage underframes and most of their component parts from 10 per cent. to the rate applicable to fabricated steel generally, that is, 17 per cent. *ad valorem*, with an additional duty on those wagons and underframes which are not of British manufacture. The Select Committee, for reasons which are fully set forth in their report, decided that it was inadvisable that this increase of duty should be made. When the Committee made its report I found myself under the necessity.

[Sir George Rainy.]

Sir, of recording a minute of dissent, and I gave the reasons why it seemed to me that it was advisable that the rate of duty should be increased. Thereafter the matter was fully considered by the Government of India, who came to the conclusion that they would not be justified in asking the House to restore the provisions in the Bill which had been omitted by the Select Committee. I should like to explain briefly, Sir, the reasons which influenced the Government of India in coming to this decision. The reasons given by the majority of the Select Committee for omitting certain clauses of the Bill can be summarised quite briefly. In the first place they considered it undesirable on grounds of principle that, when the Tariff Board had inquired into the circumstances of a particular industry and had recommended a certain amount of protection, a higher degree of protection should be given than the Board had recommended. They pointed out in the second place, that this particular proposal to increase the rate of duty to 17 per cent. had been considered by the Board and rejected. They pointed out in the third place, that the Board had emphasised the fact that what the industry required was not a higher duty but the certainty of obtaining such orders as the Railways were in a position to place. And in the fourth place, they expressed the view that if the 12½ per cent. addition were made to the prices paid in the year 1925-26 for imported wagons and underframes that would give the wagon manufacturing firms a price at which they could afford to take the orders without losing by them. These are, I think, the main reasons given in the Report of the Select Committee. Now, quite frankly, these are arguments of great force, especially the first, and they are entitled to very serious consideration. It is perhaps true that in this case, as a former President of the Tariff Board, I have been more Royalist than the King himself, at any rate the Government of India agree with the majority of the Select Committee as to the importance of the principle that, unless the reasons are very strong indeed, it is not advisable to give more protection to an industry than the Tariff Board proposed to give. The other arguments also are important but I will not dwell upon them. The reason why the Government of India originally proposed to increase the duty on wagons and underframes is indicated in my minute of dissent. It seemed to us that there was one particular case which the Tariff Board had not provided for, namely, what was to happen if the wagon manufacturing firms refused to accept the order at the maximum price which the Government of India considered reasonable. If they did, and there was no special provision in the scheme, then it seemed almost certain that the order would have to be placed abroad; and it was to avoid that contingency that the increase in the duty was proposed in the Bill. That danger will still exist if the Bill is passed in the form in which it has been reported by the Select Committee, and I should like to make that quite plain to the House. There will be a certain danger that orders may be lost to the wagon manufacturing firms in India, which they might have been able to take if the increase in the duty had been accepted. On the other hand, the Government of India recognize that if we follow the plan recommended by the Tariff Board, it should usually be possible to avoid that contingency. But I should like to make it plain that that will only be possible provided one fact is clearly kept in view. The point is this. The Tariff Board said that a 12½ per cent., addition to the price of 1925-26

will result in a satisfactory price for the Indian firms. Now the point here is that, if we apply that addition in a wooden and rigid manner to the prices of 1925-26, then undoubtedly some of the orders will go abroad, and I should like to draw attention to four particular passages in the report of the Tariff Board which in my view make it clear that the Board did not intend that the 12½ per cent. addition was to be applied in that way. The first of them is:

"We desire to make it quite clear that we claim no exactitude for this figure"—

that is. the figure of 12½ per cent.

" The future demand for wagons is so obscure and the factors affecting the estimate are so varied that nothing more than a general indication of the requirements of the industry can be attempted."

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): What paragraph is that?

The Honourable Sir George Rainy: I will try and find the reference for the Honourable Member. All the quotations are on two successive pages. The second quotation is:

"It appears therefore desirable to give some indication of the maximum price within which tenders should be accepted for wagons. We consider that the lowest approved *c.i.f.* foreign tender should serve as a general guide subject to the conditions which we explained later."

The third one is:

"Both for wagons and underframes 12½ per cent. should be added to the price so obtained as representing the addition which we consider necessary to secure on the average a reasonable price."

And the fourth quotation is this:

"Unless any unforeseen circumstances occur which result in an appreciable increase in cost, the price so obtained should be regarded as indicating approximately the maximum price at which orders should be placed in India."

The words on which I lay emphasis are these—"nothing more than a general indication", "some indication", "a general guide", "on the average" and "approximately". Well now on that basis I think I am entitled to say that the Board understood that when the scheme was applied, it would have to be applied with a certain amount of elasticity. Thus if in a particular year the orders we were placing for wagons were very much below the figure of three thousand which they take as being probable, the 12½ per cent limit might be increased. Conversely, if in a particular year we were placing orders for something like 4,000 wagons instead of three thousand, then the 12½ per cent. limit might be too high. Provided that is clearly recognized—and I think it was recognized by the Members of the Select Committee—then the scheme of the Tariff Board is certainly workable. But I should like to draw the attention of the House to one important point. It throws back on the shoulders of the Railway Board and on Government a responsibility which in my view is really the responsibility of the Legislature itself, and that was a fact which weighed a great deal with me when I proposed the increase in the duty. I was anxious that the manner in which the reasonable price was to be determined should in the last resort be decided by the Legislature itself. As the Bill now stands, after the amendments made by the Select Committee, the whole question is left to the Executive Government. I have

[Sir George Rainy.]

considered whether it might be possible, as has been done in other cases, particularly as regards the bounties paid for the manufacture of rolled steel, that it should be dealt with by a Resolution of this House. The difficulty there is that I have found it impossible to devise any formula to be placed before the Assembly which would not in effect leave the whole responsibility resting wholly on the Executive Government. The circumstances to be provided for are so various that I failed altogether to devise any formula which I could place before the House and which would not really leave to the Executive Government complete freedom to do what it considered the best thing in the particular circumstances as they arose. However, if a strong desire were expressed to the House that some Resolution should be brought forward, then, if not in this Session, in another Session I have no doubt that Government would be quite ready to bring forward a Resolution.

That covers, Sir, I think the main points as regards the Bill. The Government are content to accept the decision of the Select Committee that the duty on wagons and underframes and their component parts should not be increased. They will endeavour to the best of their ability to carry out the recommendations of the Tariff Board which found favour with the Select Committee. Perhaps I might put it this way, that in determining what is a reasonable price to pay for wagons made in India, Government will take into account the prices paid in 1925-26, so far as these can be determined, and they will treat the $12\frac{1}{2}$ per cent. addition as a general guide in fixing the maximum price, but they will also have regard to variations in the world price of steel, the total volume of the orders to be placed for the year, and the size of the orders for particular types. That describes how the Government will endeavour to apply the scheme. The House will see that the formula that I have read out is very vague; I regret I cannot make it more precise; but I think the House are entitled to know how the Government propose to act if the House passes the Bill in the form in which it has been amended by the Select Committee.

Sir, I move.

Sir Walter Willson: Sir, I beg to support the Report of the Select Committee, but I should like to make my position plain in regard to one or two points in it. I, Sir, had no difficulty in falling into line with my colleagues in the report which we have signed. I was guided by a particular reason, which I should like recorded in the proceedings of the House, and it was this. Assuming that we were not in agreement with the Government's original recommendation, the Select Committee, very wisely I think, agreed to support the Tariff Board and my support to the Select Committee was further because I realized how very valuable was the principle of not allowing more than was recommended by the Tariff Board except under very exceptional circumstances. To me, Sir, this principle meant that it would save Members of this House from being approached by various vested interests throughout the country in order to press, through this Legislative Assembly, for more protection than the Tariff Board recommends. To me, Sir, the thought that I am not to be met in lobbies and elsewhere and asked to increase the amount of protection recommended by the Tariff Board is a very valuable consideration.

Another point, Sir, which I have made in this House before and wish to do again—and I understood many Members of the Select Committee to

agree with me—is this, that it is no part of the duty of this House to protect shareholders' dividends. I say that it may be the duty of this House to protect an industry for the good of India, but that, the industry being once established, it is no part of our duty to protect shareholders' dividends. Now, Sir, I think we were wise in the protection we afforded to the wagon industry a few years ago. We have now definitely established it upon a firm and satisfactory basis at a cost to the tax-payer of Rs. 33,00,000. If we have the wagon industry for ever in this country, that money is probably very well spent. But we must not overlook the fact that protection can be carried too far. The Tariff Board agrees, and I am sure we all agree, that the Company is established. Now the Company paid a dividend of fifteen per cent. a year or so ago, and what I want to warn this House against is that once a company gets on to a dividend-paying basis like that, it cannot come to us in a lean year and ask us to protect it in that lean year. It must protect itself, out of its profits, by putting part of them to reserve and must not come to us for protection in a lean year. That is one of the grave temptations of protection and one of the grave troubles of a Member of this House is that he is asked to fall into line with that sort of proposal. Now, Sir, I have made these remarks on the general principle only. I do not want it to be thought that I am out of sympathy with the giving of very liberal treatment to these companies in this particular year because the circumstances are exceptional. Without dwelling on the unpleasant subject as to how the position in regard to the impossibility of giving orders has arisen, the position is there and it has to be faced. There are not sufficient orders, which can possibly be given to keep these companies working to their maximum capacity. That is a pity, but at the

12 Noon: same time this House cannot allow that there ever is any obligation upon a Government to keep works fully employed. It is, however, the case, I believe, and I would ask Government to give it their serious consideration, that their time of the year for placing orders for wagons is an unfortunate one in the interests of the trade. If orders are only placed in the month of March, there is a loss of time in getting in the raw material and so on, and that does, in effect, putting it in a nutshell, prevent a company from putting out its maximum during a year. I would therefore ask the Government whether they cannot see their way to place their orders for wagons for the ensuing year somewhere about the month of September; it would mean that in the following financial year a company could be able to work right through ahead as hard as it could go.

I want to say also, Sir, that I am not in entire accord with the seventh paragraph of the Select Committee's Report. But I did not feel called upon to put an asterisk against my name on that account. The Select Committee say:

"The Tariff Board lays emphasis not so much on the price to be given, as on the necessity of placing all orders in India."

I myself do not see that one paragraph in the Tariff Board's report is necessarily any stronger than any other; and therefore I do not agree with that seventh paragraph, but it is not of serious consequence. The point I stand for is this, that you have to remember that the wagon industry is in the hands of very few people, and if you were to lay down the principle that the orders must necessarily be placed in India, you would place the wagon companies in a position to dictate to the Government of India, and that means dictating to this Assembly and dictating to the tax-payers. I

[Sir Walter Willson.]

do not myself think there is any grave danger of it at the moment, but it must be remembered that the wagon industry is in the hands of a very few people very closely allied already. Therefore, the Government and the country must be protected against any suggestion that they are to receive orders at any rate they like to tender. I have, I trust, made it plain that I agree entirely that under the special circumstances which have arisen in this case, the company should on the present occasion be treated liberally. I am sure that that was the general feeling of the Select Committee. Sir George Rainy has said that that does in effect throw back the responsibility upon the Government. Well, Sir, I ask this House to share that responsibility with the Government. We should make it plain, those of us who speak to-day, that we do agree with that principle and as stated in Select Committee, we are prepared to stand behind Sir George Rainy in this matter. The formula read out by Sir George seemed to me at first blush to deal with the matter in a suitable way in which we could accept it; and I think on the whole we ought to say to Sir George Rainy that we much appreciate the way he met us in Select Committee in this matter and the entirely reasonable attitude which he has adopted throughout the discussion of the Bill.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muham'madan Rural): Sir, I offer my congratulations to the Honourable the Commerce Member for bringing before this House the revised scheme of protection to the wagon industry. Sir, I must say in fairness to the Honourable the Commerce Member that he tried his best in the Select Committee to understand his opponents' views and not only did he do this, but he also saw great force in our point of view and although he put in a note of dissent he has accepted practically all our recommendations. Had he desired he could have forced his old Bill on this House particularly at a time when most of the Members of the opposition Benches have left for their places. But he did not take up that attitude. He very patiently listened to all the arguments which we advanced against his views and eventually did not hesitate to be converted. Sir, the serious objection which could be taken to the old Bill was this, that in the first place it introduced a much higher protection against the definite recommendations of the Tariff Board, and, in the second place, it introduced a scheme of differential duty which was nothing but a preference to the United Kingdom; and I am glad to say that the proposals now before us are free from these features. Sir, the chief objection to our recommendation as advanced by Sir George Rainy in his note of dissent is that:

"If the Indian wagon building firms refuse to take the orders at the maximum prices which Government consider reasonable, there will be no alternative but to call for simultaneous tenders and if the duty remains at 10 per cent, there is a danger that some of them may be lost to the Indian firms."

Now, Sir, this objection of Sir George Rainy has been sufficiently met by the Select Committee in its Report. I will explain the situation briefly. The old recommendations were to increase the duty to 17 per cent. The recommendation of the Tariff Board was that if the Railway Board could place an order of 3,000 wagons of C2 type, the wagon builders did not require more than 12½ per cent. protection. Now, Sir, my information is

that the price of imported wagon since November 1925 has undergone a further increase of about £5, that is nearly 3 to 4 per cent.; and therefore the protection which the wagon builders were likely to get under the scheme proposed by Sir George Rainy originally would have amounted to as much as 20 per cent. Now, Sir, there was no safeguard that if in any year the Railway Board placed orders for more than 3,000 wagons it would see that the wagon builders did not get over protection. It has been made clear that they did not require more than $12\frac{1}{2}$ per cent. if we could guarantee to them orders for 3,000 wagons. But under the old Government scheme they would have got 20 per cent. protection when they did not require even as much as 5 per cent. if we could place orders with them to the extent of 5,000 wagons. A safeguard was most essential against overprotection and the old Bill was lacking in that. I do not think that there is any danger under the new proposal of the Indian wagon building firms not getting orders from the Railway Board provided they quoted a reasonable price. My information is that the requirements of Railways of 1928-29 would amount to 2,400 wagons, not far short of the minimum requirement as estimated by the Tariff Board and on the basis of which they recommended $12\frac{1}{2}$ per cent. Sir George Rainy remarked in the Select Committee that probably 1928-29 was

The Honourable Sir George Rainy: On a point of order, Sir. I think the Honourable Member is referring to something that passed in the Select Committee. I submit, Sir, that that is not the practice of this House and that it is out of order.

Mr. Ghanshyam Das Birla: Without referring to what happened in the Select Committee, I might say that it is an open secret that the requirements of 1928-29 will amount to very nearly 2,400 wagons, and it has been admitted on the floor of this House that so far as 1928-29 is concerned the year may be reckoned as the lowest water-mark. It is expected that in 1929-30

Mr. President: Order order. Is not the Honourable Member whipping a dead horse now?

Mr. Ghanshyam Das Birla: No, Sir. I want to show that the requirements of the Railways will exceed 3,000 wagons per year and therefore the wagon builders would not require more than $12\frac{1}{2}$ per cent. That is my argument. I say that the requirement of this year is very low and 1929-30 must show an improvement. Therefore, probably in the next three years we might have on an average a requirement of more than 3,000 wagons and therefore the protection required by the wagon builders will not be more than $12\frac{1}{2}$ per cent. Under the scheme of 17 per cent. we would be giving much more protection than what was actually required. That is my argument.

Now, Sir, under the new scheme which we have proposed, we have provided definite safeguards. If in any year the Railway Board found that their requirements exceeded 3,000 wagons, they could reduce the price. If, on the other hand, they found that in any year their requirements were to be less than 3,000 wagons, they could increase the price. Therefore, with that safeguard, we are recommending neither more nor less protection than what is actually required by the wagon builders. It is for this reason that I wholeheartedly support the scheme which has

[Mr. Ghanshyam Das Birla.]

been put forward before this House. I quite agree with my friend Sir George Rainy that this Bill, as it stands, is silent about the wagon industry and therefore some sort of a Resolution in a definite form will have to be brought before this House, and I hope that this will be done at an early stage.

There is one thing to which I should like to refer. Although it is rather a delicate matter, yet I think it is the duty of every legislator to see that the money of the tax-payer is properly spent. The Fiscal Commission, while making recommendations about protection, definitely laid it down that in cases of bounties, concessions and similar other things, Government ought to see that there was a proper representation of Indians on the boards of such companies, that there was a rupee capital, and so on and so forth. In fact, this policy was accepted by the Government and Mr. Chatterjee (now Sir Atul Chatterjee) on behalf of the Government of India declared in the following terms:

"That the settled policy of the Government of India, as I think we have mentioned more than once in this Assembly is that no concession should be given to any firm in regard to industries in India unless such firms have a rupee capital, unless such firms have a proportion, at any rate, of Indian Directors, and unless such firms allow facilities for Indian apprentices to be trained in their work. This has been mentioned more than once and I can only repeat this declaration."

Now, Sir, although we are not giving anything to the wagon builders in the definite shape of a bounty, yet, when we guarantee definite orders to them, we are giving them a sort of a bounty. And therefore it is the business of the Government to see that all those conditions laid down by the Fiscal Commission are rigidly carried out. I do not know whether the Government has taken any action in the past in this direction, but I would wish to draw the attention of the House at this stage to the fact that those conditions are not strictly fulfilled in this case. The Indian Standard Wagons have got the following directors at present:

"Mr. Turle, Mr. Scott Fairhurst, Mr. Nichol, Mr. Oswald Martin and two Indians, Sir Rajendra Nath Mukherji and Mr. Bhattacharji."

I think we should have a majority of Indians on the board of a firm to which we pay a bounty, as in the present case. Whenever we give a bounty, it should be our duty to see that Indians have an adequate representation on the board of directors.

Sir Walter Willson: Does not the Honourable Member know that the whole concern is controlled and managed by Indians?

Mr. Ghanshyam Das Birla: I know the real facts very well. I know that it is controlled by Sir Rajendra Nath Mukherji, but I want to be assured that the board will be composed of a majority of Indians and not Indian only in colour.

Sir, as regards apprentices, I might read the Tariff Board's report on page 26 where they show the cost of manufacture. This is what they say:

"The salaries paid to Europeans amounted to Rs. 1,21,000 and the salaries paid to Anglo-Indians and Indians amounted to only Rs. 91,000."

I do now know what share has been taken away by Anglo-Indians, although I take them as Indians. These figures, however, prove at least one thing, namely, that Indians have not got a sufficient hand either in the board or in the management of the Company. I do not know what arrangements have been made for the training of apprentices but this is a matter to which I should like to draw the attention of this House. Sir, it must be made clear to the party concerned that where the tax-payer's money is spent, the conditions laid down by the Fiscal Commission should be rigidly fulfilled not only in letter but also in spirit.

Now, Sir, there is one thing more which I wish to say. The Honourable the Commerce Member was absolutely silent about the Hukum Chand Steel Castings. Some of us have put in our notes in the Select Committee and I expected that the Honourable the Commerce Member would say something on the point. Now, Sir, I wish to make it clear that I have absolutely no connection with this firm. I am neither a share-holder, nor a director, nor a relative, nor a friend of the proprietors of this firm. All the same, I think it my duty to support the proposal of the Tariff Board, simply because this is a firm which deserves protection, because this is a firm entirely Indian both in letter as well as in spirit. Now, Sir, I do not like to say anything of what happened in the Select Committee, but all the same I must bring it to the notice of the Honourable the Commerce Member again that Hukum Chand's case is a very strong one. The Tariff Board definitely recommended that this firm be given a bounty at the rate of Rs. 2/8 per cwt. Now, it was remarked by the Honourable the Commerce Member that there are two firms in the field, and not the firm of Hukum Chand only. I am quite prepared to admit the accuracy of the statement although my information is that there is only one firm and not two firms in the field. Even if there are two firms, I would submit that, just as you insist on the Railway Board placing all their orders as far as possible within a certain limit with the Indian manufacturers, it is but fair and just that you should insist on the wagon builders too that they should place all their orders for the component parts required by them only with the Indian manufacturers. I think this is a just and a reasonable request, and I hope that Sir George Rainy will consider this matter very seriously and try to help the firm as much as possible. The firm does deserve protection and a case has already been made out in its favour as could be seen from the report of the Tariff Board. We all know that after two or three years a very large demand for the component parts might spring up in India and if at this stage we allowed the industry to die for want of sympathy, the result would be that after two or three years we shall find ourselves entirely in the grip of the foreign suppliers and this would be very injurious to the interests of India. I was told informally that there have been serious complaints about some of the supplies of Hukum Chand. In this connection, I might say that they have been supplying large quantities of axle boxes and similar things to the Railways and the total rejections amounted to only 3 per cent. On the contrary, I have been told that the Stores Department and the railway authorities from time to time wrote to Hukum Chands appreciating very much their work and if they got anything it was praised. I can say therefore that this is a case which the Honourable the Commerce Member should treat very

[Mr. Ghanshyam Das Birla.]

sympathetically, and I hope he will do something on the lines of our recommendation. With these words, Sir, I support the scheme before the House.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadian Rural): Mr. President, in supporting the motion of my Honourable friend my task has been made considerably easy by reason of the fact that Government propose to accept the Report of the Select Committee on this Bill. I would draw the attention of this House to the circumstances under which we are called upon to legislate at present. We are not at present legislating in order to protect an infant industry or an industry which suffers from any unfair competition from foreign manufacturers. We are called upon to protect an industry which has been fairly well established, as my Honourable friend Sir Walter Willson, remarked. As a result of the evidence that was placed before the Tariff Board, the Board found that under the stimulus of the bounty that this House sanctioned, the Indian wagon industry has established itself in a position which enables that industry to compete favourably with foreign manufacturers. It is under these circumstances that we are called upon to pass a measure of protection for that industry. The need for protection of the wagon industry has arisen from the fact that extraordinary and abnormal circumstances have come into existence. If the demand of the Railway Board for wagons and underframes was normal, there would be no necessity for giving any protection at all to the Indian wagon industry. It is because of peculiar circumstances into which it is not necessary for me to go at present that it is not possible for the Railway Board to keep the plant of the Indian wagon manufacturers fully engaged for some time to come that the need for protecting the industry has arisen in the present case. There was a careful enquiry by the Tariff Board and Government brought forward before this House a proposal to increase the present revenue duty of 10 per cent. *ad valorem* to a duty of 17 per cent. *ad valorem*. After very careful examination of the whole question, the Select Committee thought that it would be undesirable to accept the recommendation of Government in this matter. The Select Committee thought that it would be setting up a very dangerous and undesirable precedent to ask this House to give any measure of protection which is in excess of that recommended by an expert Committee like the Tariff Board. It was mainly for this reason that the Select Committee were not in a position to accept the proposal, and they recommended to Government and to this House that the measure of protection recommended by the Tariff Board, if worked out in the proper spirit, would be adequate to meet the requirements of the Indian wagon industry. My Honourable friend, Sir George Rainy said that there is a danger in accepting the recommendation of the Select Committee and he very pertinently asked, "What if the Indian manufacturers refused to accept the price which Government thought was reasonable?" in which case he said orders would have to be placed abroad. Certainly there is this danger in the proposal made by the Select Committee, but I would submit that even the proposal brought forward by Government to increase the duty to 17 per cent. is not free from this danger. The question what price would be a reasonable price which can be accepted by the Indian manufacturers will depend upon the volume of the orders placed with the Indian manufacturers. The Tariff Board found that if the plant in the Indian wagon manufacturing firms is kept working to a 60

per cent. capacity then the $12\frac{1}{2}$ per cent. addition over the 1925 price would be adequate to meet the requirements of the industry. The requirements of the industry would therefore depend upon the volume of the orders placed. My Honourable friend proposed to levy a 17 per cent. *ad valorem* duty and I have been advised that even the 17 per cent. *ad valorem* duty would prove inadequate under certain circumstances. The measure of protection based on the formula worked by the Tariff Board was on a basis of 60 per cent. capacity of the plant. If the volume of orders placed by the Railway Board is to keep only 50 per cent. of the capacity of the plant, then the measure would be 16 per cent., and if the orders were only 40 per cent. of the capacity, then the measure of protection required would be 20 per cent., so that if the Railway Board were in a position to place only orders which would keep the plant working only to its 40 per cent. capacity, even the 17 per cent. duty would not meet the requirements of the case, and the danger that my Honourable friend anticipates in the proposal of the Select Committee would also arise in that case.

Sir, in spite of this danger, which I confess is lurking in the recommendation the Select Committee, and which to some extent lurks in the proposal of the Government, the Select Committee thought that on the whole it would be well advised to stick to the recommendation of the Tariff Board. I know that in giving effect to this recommendation my Honourable friend will be undertaking a very grave and a very serious responsibility. As my Honourable friend Sir Walter Willson pointed out the wagon industry in India is in the hands of practically three firms, and while on the one hand Government must see that the price given is enough to keep the industry alive, they have on the other hand the grave and serious responsibility to see that the price paid is not too heavy a cost to the Indian tax-payer.

Sir, my Honourable friend Sir Walter Willson, drew attention to the difficulty which Indian manufacturing firms feel as a result of the present system and time of placing the orders, and I have been told that if, as in this year and the last, orders are placed at the end of March, it is impossible, owing to the time taken in obtaining raw materials from Tata's and certain fittings from England, to effect deliveries before the following September, and as all orders must be completed by the end of the following March, it is impossible to work more than $\frac{7}{12}$ th of the annual capacity of the plant. I hope that in view of this difficulty experienced by the wagon manufacturers, my Honourable friend the Financial Commissioner, would examine the whole question about the time of placing orders, so as to enable wagon manufacturing firms to work to their fullest capacity possible.

A good deal has been said in this connection about the manufacture of carriage underframes, which the railway administration propose to undertake in the newly acquired Peninsular Locomotive Works. Sir Darcy Lindsay had some very interesting questions on this point the other day, and we found from the answers given by the Financial Commissioner that in addition to the cost of purchasing the Peninsular Locomotive Works, Government have launched on a scheme of extending the plant of the Works in order to enable the railway administration to undertake the manufacture of underframes. If the railway administration thinks that it would be possible to manufacture carriage underframes at more favourable rates

[Mr. R. K. Shanmukham Chetty.]

than can be supplied by private individuals, then I for one will not quarrel with any such undertaking. But, Sir, we cannot deal with the question of the manufacture of carriage underframes in that isolated manner. The manufacture of carriage underframes in the Peninsular Locomotive Works has got a very important bearing on the question of protecting the Indian wagon industry. I pointed out at the very outset that the price that has to be paid to the Indian manufacturer will depend upon the volume of orders placed by the Railway Board. If the Railway Board is in a position to keep the plant of the Indian industry fully engaged, then they can get wagons and underframes at a cheaper price than if the orders placed are small. Under these circumstances I would ask my Honourable friend the Financial Commissioner to examine the question from this point of view; would it not be worth while by placing more orders for carriage underframes and wagons with the Indian manufacturer to reduce the price paid for these things rather than undertake the manufacture of carriage underframes in the Peninsular Locomotive Works? This system of pooling is well known in industrial concerns. In times of overproduction and industrial crises manufacturers do combine and resort to this device. If they find that it would pay them to keep certain works closed down and to utilise the plant in the other works to their fullest capacity, it pays all those concerned in the industry to adopt this method rather than to keep all the works open.

Sir Victor Sassoon (Bombay Millowners Association: Indian Commerce): Sir, the Honourable Member appears to be addressing me personally. I am not the Financial Commissioner or Member for Railways.

Mr. R. K. Shanmukham Chetty: I thought my Honourable friend was an authority in these matters and I was paying him a compliment. Now I would ask my Honourable friend the Financial Commissioner to examine the question from this point of view, and probably as a result of an examination he may find that it would be worth while to place all the orders for the manufacture of underframes and wagons with the Indian manufacturer and thereby reduce the ultimate cost to the Railway Board.

These Sir, are a few of the observations which I wanted to make on this point. As I stated at the outset this House is no doubt asking the Government to undertake a very great and serious responsibility, and I have no doubt that in discharging that responsibility my Honourable friend the Commerce Member will keep in mind the twin objects of keeping alive the Indian wagon industry until the requirements become normal and at the same time not to purchase this at too heavy a cost to the Indian taxpayer.

Sir Darcy Lindsay (Bengal: European): Sir, I think my Honourable friend Mr. Shanmukham Chetty has hit the bolt on the head, if I may express it in those terms, when he refers to the danger of competition on the part of the railway administration themselves in manufacturing underframes at the Peninsular Locomotive Works. Mr. Chetty, Sir, clearly gave his view to the House about the dangers of this competition and that if the other manufacturers of wagons and underframes were not kept fully supplied with orders their prices must rise. I think he quoted figures of 60 per cent. of capacity and 80 per cent. of capacity. Now, as far as I understand the position, if the local industry is supplied with anything up to 80 per cent. of their capacity, they do not want any protection

at all. But if, on the other hand, they are going to meet with competition on the part of Government then their prices will have to rise and they will be in danger of losing orders with competition from Europe. If, therefore, the Railway Board will take a sympathetic view of the position and either not commence work for two or three years to come at the Peninsular Locomotive Works until they have ample orders to place for all, then I think we will be giving this industry all the protection that it needs. And again, Sir, it appears to me if they adopt that course it will be a distinct gain to the Railways themselves. The local industry will be able to complete their orders at a considerably lower cost if they are working to an 80 per cent. capacity than if they are only working to a 60 per cent. capacity; so what the Railways may lose in keeping the money idle on the Peninsular Works they will gain in the lower prices they will be paying for the supplies from these other manufacturers. I very much question, Sir, whether the Tariff Board took this point of view into their consideration when they issued the Report and therefore did not put forward the recommendation as presented to the House by the Honourable Member to increase the import duties which a great upholder of principle, Sir Walter Willson, told the House the Select Committee would have nothing to do with. I very much doubt as I said whether the Tariff Board knew of this impending competition on the part of the railway administration.

Sir, there was one remark that fell from my Honourable friend Mr. Birla to which I take exception. He was very insistent that if Government gave any protection at all to any industry, it must only be to Indian controlled industries. That is an argument that does not appeal to me and I hope it will not appeal to all fair-minded people.

Mr. Ghanshyam Das Birla: I wish to explain, Sir, what exactly I said. I read the Government's Resolution as put before the Assembly by Mr. Chatterjee (now Sir Atul Chatterjee), and I said, not in respect of all types of protection but with regard to protection given in the shape of a bounty, subsidy or concession—and as in this matter protection amounts to something like a bounty—I said we must insist that the conditions laid down by the Fiscal Commission should be fulfilled by the parties concerned.

Sir Darcy Lindsay: I do not know that any particular formula was laid down

Mr. Ghanshyam Das Birla: It has been.

Sir Darcy Lindsay: For the percentage of representation, but I am sure that if my Honourable friend Mr. Birla will only purchase some shares in these companies they will no doubt offer him a seat on the Board.

Mr. Ghanshyam Das Birla: I do not care for any seat on the board. I have sufficient business of my own and have no time to attend to the other business of others.

Sir Darcy Lindsay: I have expressed my views and I hope the House will have sympathy with me in that respect.

Mr. Ghanshyam Das Birla: I doubt that.

Sir Darcy Lindsay: In conclusion, Sir, I will ask the Honourable Member to give us some assurance that until these companies are really in a position to work at a much fuller capacity than at present, the Railway Board will consider not commencing operations at the Peninsular Locomotive Works.

Mr. B. Das (Orissa Division: Non-Muhammadian): Sir, though a full-blooded protectionist, I am sorry to say that I rise to oppose the granting of any protection to the wagon industry, although I know that any protest from this side of the House and any opposition from this quarter will not prevent the Government from having their Bill passed, as my Honourable friend Mr. Shanmukham Chetty has already given his full support to and showered his blessings on the Honourable Member for Commerce and in view of the unholy alliance between the European group and my friends on the right there is no chance for us to defeat this measure. It was only yesterday that we on this side needed all the support from Mr. Chetty and his Party to oppose the Government, and my friend Mr. Chetty was not there to oppose the Government from his place over there, but to-day I find he solemnly gives his blessings to a measure which without his support . . .

Mr. R. K. Shanmukham Chetty: On a point of personal explanation, Sir. I came here to support the Report of the Select Committee of which I was a member.

Mr. B. Das: That might be so, but without his support the Government could easily carry the day.

My friend Sir Darcy Lindsay asked my friend Mr. Birla whether the Fiscal Committee specified the number of directors and the rupee capital. I would refer my friend Sir Darcy Lindsay to a subsequent Report, the External Capital Committee's Report, which was presided over by my Honourable friend Sir Basil Blackett. I will quote from it for the edification of the House and to remind those who have forgotten what the recommendations of that Committee were. I am reading from page 15, Part III, clause VI (a). This is what the External Capital Committee says:

"(a) Where the concession is general, as in the case of a protective tariff (and this would include practically every industry in India, as a revenue tariff without a corresponding excise has a protective effect), it is impracticable to effect any discrimination. No feasible suggestions for such discrimination have been suggested to us, nor have any occurred to us during our discussions.

(b) Where definite pecuniary assistance, such as a bounty, is granted to any particular undertaking, we consider that discrimination is feasible, and we agree with the Fiscal Commission and the Legislature that no such assistance should be granted to any company, firm or person not already engaged in that industry in India unless

I. reasonable facilities are granted for the training of Indians, and

II. in the case of a public company unless

(i) it has been formed and registered under the Indian Companies Act, 1913,

(ii) it has a share capital the amount of which is expressed in the memorandum of association in rupees,

(iii) such proportion of the directors as the Government may prescribe consists of Indians."

Sir Victor Sassoon: Have Government prescribed the proportion?

Mr. B. Das: I am not holding you responsible. I am holding the Government responsible for prescribing the number of Indian directors.

My friend Mr. Birla gave a list of directors of a particular company where he found only two Indians as directors. I do not know whether Government are thinking of giving further protection to that concern and if so, whether they are going to specify what will be the number of Indian directors on the board of that company. I do not know if Jessop and Company is a company registered in India nor do I know whether they

have any Indian directors. The same remarks apply also to the Indian Wagon Manufacturing Co., and I do hope that, when the Honourable Sir George Rainy rises to reply, he will enlighten us in the matter. I am particularly grieved, because as I mentioned the other day the Tariff Board whose present President Mr. Ginwalla happens to be a former Member of this House does not take any cognisance of the External Capital Committee's Report. Nor does he care to inquire into those matters which have been unanimously recommended by a Committee which was presided over by my Honourable friend Sir Basil Blackett . . .

Mr. President: Has the Honourable Member finished?

Mr. B. Das: No, Sir. As the External Capital Committee's unanimous recommendations are not being satisfied by any of the companies that seek protection, I am of the opinion that none of them should receive any protection. Here, Sir, my friend Mr. Chetty and some Members on my left have been making remarks that the Peninsular Locomotive Company, which the Government have purchased at an enormous cost, should be either shut down or that it should pool its production with the wagon companies managed by private firms. I consider it absurd that the Government should combine and pool their resources with private manufacturing concerns, it does not matter how big magnates may be the owners of these private concerns. I know the Indian engineering industries are not properly developed yet in India, and even if they are developed, they are not under the control of Indians. There are of course one or two firms which are under Indian control like the Hukumchand Electric Works, but such concerns are not given any protection. Therefore, I hold that the Indian wagon industry should not receive any protection when the concerns are not under the control of Indians or when the recommendations set forth by the External Capital Committee are not given effect to in those companies. I know the Railways have spent an enormous amount of money in building their workshops and I hope these state-owned workshops and those belonging to the Company-managed Railways will gradually begin to manufacture wagons and underframes, but I will be no party to the suggestion that the Peninsular Locomotive Works should be shut down or that the Government should buy up any of the other private concerns.

Sir, before proceeding to other matters, I will just refer to one point. Since the subject was discussed on the floor of this House, I have received certain letters from the party who has acquired the Indian Wire Products Company of Jamshedpur, from the Government of Bihar and Orissa who happened to be the debenture holders of that company. That party acquired this firm with the idea that the protection for manufacture of wire nails will continue and they will be able to manufacture them in this country. Unfortunately, Government by removing this protection are leaving that particular firm in a helpless condition. I do not blame the Government so much as I blame the Tata Iron and Steel Company because in 1924 they gave a promise that within three years they will instal machinery and plant by which they will be able to manufacture wire rods to supply to this Wire Products Manufacturing Co. But even now I find in the evidence of this particular report they say that they will still require another three years. I think an eminent firm like the Tata Company should not be so very vague in their remarks and in their decisions, because they are instrumental in the failure of a subsidiary industry on which large sums of money were spent. Sir, this Indian Wire Products Company, which was started with a capital of 40 lakhs, I am told, is being purchased

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by the present owner at a very small sum of about 3 to 4 lakhs, and I think that if Government were to continue the system of protection for wire nails, then Tata's will be forced to keep to their promise to install machinery and plant to manufacture wire rods, and if Government will abolish the protection, Tata's will say that no responsibility lies on them and as Government do not give protection to the wire nail industry, they are not going to spend much capital for the manufacture of wire rods and other things.

Sir, I now come to the Hukumchand Electric Works. I was going over the evidence before the Tariff Board, and I find there is an insinuating way of cross-examination by which it was suggested that there was no Europeanisation in the Hukumchand Electric Works whereby efficiency suffered. Now, I know what Mr. Ginwala's policy is. There is no Europeanisation in the particular works, so that the company will not receive protection, while we on this side claim that whenever there is Indian capital and Indian management in a company it should receive all the assistance possible from Government. I think Indians have shown great ability in the management of engineering concerns. The other day, thanks to my Honourable friend Mr. Fazal Ibrahim Rahimtulla, we saw an exhibition of certain films of works done by engineering firms under the control of Messrs. the Tata Construction Works, Ltd., of Bombay which are entirely managed by Indians, carrying out great engineering works such as tunnelling and bridge, works done under exceptionally difficult circumstances. From the way in which these works are carried out by Indian firms of contractors and engineers for the Railway Department, of which the Honourable Sir George Rainy is the head, he ought to know that Indians can manage with as much efficiency as foreigners' manufacturing concerns too, and hence I object to the insinuating way of cross-examination by which it is suggested that work suffers in efficiency because there are no European foremen or supervisors which is really absurd; and who knows that that may not be one of the reasons why the Hukumchand Electric Works did not get any protection.

I know my proposition will not meet with support under the circumstances I narrated at the beginning of my speech. But I believe no case has been made out to protect the Indian wagon industry. It is only in name that the Indian wagon industry is "*Indian*"; only a few Indian labourers are employed, and there are no Indian engineers or Indian directors except one or two in one particular company

Sir Walter Willson: That is not a correct statement.

Mr. B. Das: I should like to hear from the Honourable Member later on to the contrary, but I want the Government not to be influenced even by my friend Mr. Chetty or by my friend Sir Walter Willson and never to allow their resources to be pooled with companies which are owned by private parties. It does not matter how big they are or what their influence might be.

Mr. F. W. Allison (Bombay: Nominated Official): I move, Sir, that the question be now put.

Mr. President: The question is that the question be now put.

The motion was adopted.

Mr. President: The question is:

“That the Bill to provide for the modification of certain import duties relating to the protection of the steel industry in British India, as reported by the Select Committee, be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I move that the Bill, as amended, be passed.

I should like to say only two words before I sit down. I have listened to a very interesting discussion on a number of points, but I do not think it would be desirable that I should attempt to go over the whole field which Honourable Members have traversed. At the same time I would assure Honourable Members that every point that has been brought up will receive attention and will be examined. On one particular point raised by my Honourable friend Mr. Birla I will add a word or two. He drew my attention to the note which was appended by certain members of the Select Committee to the report of that body regarding the possibility of imposing a condition in placing orders for wagons, that the wagon-building firms should use Indian made castings. I have already had that question under my consideration and I shall consider it again. But I am sorry to say that at present I find very great difficulty in giving effect to that recommendation. It always comes back in the end to this, that in order to give effect to it, the Government of India would have to do the very thing which they have decided they cannot do, and, unless that fundamental objection can be removed, I am afraid it will be very difficult indeed to give effect to that suggestion. I thought that in justice to this House and to the members of the Select Committee who signed that note it was necessary to say so much.

Mr. President: Motion moved

Mr. K. C. Neogy: Sir

Mr. President: Is there a point of order?

Mr. K. C. Neogy: I wanted to speak on the motion.

Mr. President: Motion moved:

“That the Bill, as amended, be passed.”

Mr. Kelkar.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadian Rural): Sir, it is perhaps as well that what I have got to say should be said at this the final stage of the Bill, rather than on the second stage, because I did not want to oppose the Report of the Select Committee, nor had I put down an amendment to modify the Report of the Select Committee. I just want to contribute a point or two about the nuts and bolts industry about which not one word was said in this debate by anybody. It was not a little amusing to me to find that all the speeches made on the second stage of the Bill related to something which had practically dropped out

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from the operative provisions of the Bill. On one side and on the other speeches were being made in support of or against the granting of protection to the wagon industry which really does not figure at all in the Bill itself as recommended by the Select Committee, and all this verbiage was in my opinion a waste of time. It was a case of so many funeral orations made upon a dead subject, and though the subject may perhaps be resurrected, it might be resurrected in another form and under various contingencies about which we do not know anything at all at present. Therefore, I think it would have been better if somebody had said a word about an item which does actually figure in the Report of the Select Committee, and that is about the nuts and bolts industry. I entirely agree with previous speakers who have said that the Government ought not to give any protection to industries which have sufficiently established themselves. But the same is not the case with the nascent industry of nuts and bolts. It is a small industry. It is being started and carried on with a small capital by small industrialists, and its products are not so very largely in demand by the great industrial organisations or workshops, and therefore, this is the time when sufficient protection ought to be given to it. The nuts and bolts business shared a somewhat curious fate at the hands of the Select Committee, not because some members of the Select Committee would not have liked to go further than they did in giving protection to the nuts and bolts industry, but because they found that they might be estopped by what they were doing then in respect of another matter in the same Select Committee. The position was this. The Tariff Board had recommended a certain measure of protection to the wagon industry. Now, the Commerce Member wanted to go one better and he embodied his proposals in the Bill. The Select Committee did not like the idea of the Commerce Member showing special favour to this particular industry. Therefore, they had to put their foot down and say, "We shall not allow you to go further". And what was the reason they alleged for not going further? Naturally they had to rely upon the deliberate and considered recommendations of the Tariff Board and therefore they said, "This is the recommendation of the Tariff Board. It is a well considered recommendation and we will abide by it. We will not allow you to go further". Then came before them the question of protection to nuts and bolts. In that case also there was a deliberate recommendation of the Tariff Board, and therefore some members of the Select Committee obviously found themselves face to face with their own plea which they had taken up in another respect and they were prevented by a kind of estoppel from giving that protection to the nuts and bolts industry which they might have otherwise liked to give. So it happened that what might have been done could not be done and the Select Committee, I suppose, did not give a further protection to the nuts and bolts industry on the obvious principle of equality of treatment. Of course, equality of treatment is apparently very good, but really it is not. What the Select Committee apparently said was like this. If there are a number of passengers driving by the same common omnibus, then the driver cannot impart to one set of passengers more speed than he can do to the others. So, on a parity of reasoning the Select Committee said, "If we cannot give more protection than that recommended by the Tariff Board in the case of one industry, we cannot also go further than the recommendations of the Tariff Board in the matter of giving protection to another industry."

But I think the Select Committee might have gone a little deeper into the merits. As has been admitted, the fortune of the wagon industry has already been made. The industry has been very well established, and on that very ground some people are opposing not only the further protection that is proposed to be given but even the measure of protection that is already enjoyed by this industry. But that is not, as I said, the case with the nuts and bolts industry which is quite a new one in this country.

I will try to put the case of the nuts and bolts industry as was presented to the Tariff Board,—if not the whole case—by one factory. I will just read out a few sentences from the representation which had been made to the Tariff Board. The case for the nuts and bolts industry, shortly put, is this :

“At present the Continental mild steel bars required for the manufacture of bolts and nuts can be imported at Rs. 82 per ton, *c.i.f.* Bombay, and the bolts and nuts can also be imported at approximately Rs. 200. . . . The protective duty on steel is Rs. 37 per ton, which means that there is a duty of nearly 45 per cent. on the raw materials, while the proposed duty on bolts comes to 20 per cent. It will thus be seen that the raw material is taxed 25 per cent. more than the finished products.”

Then there are other grievances. Some companies had asked at least for a rebate of the import duty that had been paid on raw materials. That request was refused and the position has been aggravated because it will be seen that since they made the application for rebate on the import duty the exchange has gone up and the importers of bolts and nuts are at an advantage of about 12 per cent. owing to the new ratio.

I wanted to bring these facts to the notice of the Commerce Member not in the hope that he might be able to do anything directly to the nuts and bolts industry at this stage, because there has been an unanimous Report of the Select Committee in which they did not agree to go further than the report of the Tariff Board.....

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division : Muhammadan Rural) : This point was considered by the Select Committee.

Mr. N. C. Kelkar : Nor was there any use in my opinion in putting down an amendment to the Report of the Select Committee at the far end of this Session because there is practically no hope of that amendment being carried, but there is something which I may recommend to the Commerce Member, that can be done in the interest of this new industry of nuts and bolts, and I take that line because he adverts in his own mind to do something to give further protection to the wagon industry, if not directly through this measure, but by some other measure and he still adheres to the idea of some Resolution being moved by taking advantage of which he might be able to give that further protection. But if he can do something like that in respect of one industry, I think he might follow up the same line in the case of the nuts and bolts industry, and I will specifically put before him two or three points in this connection which may perhaps help him, if you cannot give higher protection. What they ask for is, point by point, that a reduction in railway freight on raw materials and finished products to the extent of 75 per cent. be given, that the Government and State Railways should place their orders with them to the extent of their capacity and that their stuff should be purchased, leaving a margin of 15 per cent. profit to the company, or that a rebate of Rs. 20 per ton in customs duty should be given on the material purchased by them for the manufacture of nuts and bolts. The Commerce Member is fortunately also

[Mr. N. C. Kelkar.]

the Member for Railways and therefore, if he is so minded, he can give them the concessions which the nuts and bolts industry have asked at his hands.

Mr. K. C. Neogy (Dacca Division: Non-Muhammadian Rural): I should have liked my Honourable friend the Member in charge to reply to at least one point which was raised in the debate and that was with regard to the Indian character of the directorate of the different companies which stand to gain by this measure of protection. My Honourable friend Sir Darcy Lindsay expressed his dissent from the views expressed by my friend Mr. Birla on this point, but I am afraid my Honourable friend is too late by at least four years, because this principle was not merely laid down by the External Capital Committee, as has been pointed out by my friend Mr. Das, but has been endorsed by this very House itself, and it forms a prominent feature of the Protection Act of 1924 under which bounties had been paid so long. One of the conditions which the Protection Act of 1924 laid down was that any new company to derive any benefit under the scheme of bounties, must have a rupee capital and that such proportion of the directors as the Governor General in Council has by general or special order prescribed in this behalf shall be Indians. Now, Sir, I do not know why my Honourable friend the Commerce Member has not answered the query that was made on this point by the Honourable Baronet from Bombay. I do not know what the exact position is. Have the Government of India taken any action under the provision of this particular clause? If they have, then we are entitled to know the proportion of Indian directors which Government have prescribed. Now, Sir, the Honourable Member might say, "Well, technically we are not giving any bounties". It may be that the bounties in the present circumstances will not come out of the general revenues as under the Protection Act of 1924, but all the same, in so far as you are asking the Railways to give a measure of preference to the Indian manufacturers of wagons, you are practically shifting the burden of finding the amount of the bounties from the shoulders of Sir Basil Blackett to the shoulders of Sir George Rainy himself. The bounties will in future come out of railway revenues instead of general revenues. That is all the difference as far as I can see. Now, Sir, this reminds me that it would have been very useful if we had had a specific Resolution put forward by Government recommending this measure of protection, because in that case we might have tacked on these specific conditions, as we find them in the Protection Act of 1924. I quite recognize the difficulties with which my Honourable friend is faced at the present moment, because it will involve working out some very intricate points of detail. But, Sir, I consider this is a matter of great importance as a principle, because so far the protection that has been accorded to any industry has been recommended definitely by this House, either in the shape of legislation when any legislation was needed, or in the shape of a Resolution moved by the Honourable Member in charge himself. That is to say, the initiative was taken by this House in every instance. In the case of bounties, the Government would have simply put forward a Demand for a Grant, but instead of doing that, what they had been doing was to move a Resolution in this House recommending to the Governor General in Council that protection be given in the shape of bounties to any particular industry. That is a privilege which I for myself highly prize, and a precedent in that matter having been set up I for one would be very loath to depart from it. But I am prepared to accept the

assurance given by the Honourable Member in charge that the Resolution will be brought forward next session. I do hope when he does bring forward that Resolution he will tack on these conditions which we find in the Act of 1924.

Now, Sir, there is another condition to which I made reference on the previous occasion, which laid down that a considerable proportion of the materials to be utilized in the manufacture of a wagon shall be of Indian origin. That again is a condition which we value very highly, because, Sir, when we advocate any measure of protection in this House we have not the interest of any particular firm or firms in mind. What we desire is to see that the protection which we seek to give to any particular industry filters down to as many side interests as possible, so that that particular industry may ultimately become absolutely self-supporting in the matter of its supply of raw materials from Indian sources. On the last occasion my Honourable friend Sir George Rainy, speaking on this question, pointed out that even in the present circumstances it is the practice of the Railway Department to see that a successful tenderer for wagons does utilize Indian materials as far as possible. I will read out his exact words. He said:

"It is expressly stated that orders will be placed only with firms which satisfy the Railway Board that a substantial proportion of the work will be done in the country and that local manufacturers of parts which tenderers do not manufacture themselves will be given an opportunity to quote."

That is, as far as I can see, a sort of a pious general desire which the Railway Board lays down. But what actually happens at the present moment under the Protection Act of 1924, is that no payment of the bounty on any single wagon is made till the authorities are satisfied that in the manufacture of that particular wagon a considerable proportion of the raw materials utilized has been of Indian origin. This question was raised by me in the Public Accounts Committee as to how the different authorities satisfy themselves that this particular condition has been fulfilled, and a note was circulated to us explaining the position. I will read out one particular paragraph from that note which will show the very stringent provisions that the audit authorities lay down for satisfying themselves that this particular condition has been fulfilled. This is what the note says:

"The claim for a bounty is supported by a certificate by the Director of Inspection, Indian Stores Department, to the effect that a substantial portion of the component parts has been manufactured in British India. This certificate is further supported by a complete list of all the component parts of a wagon together with a note against each component part whether it has been manufactured in British India or imported from abroad."

So there is a sort of history sheet accompanying each wagon upon which the payment of a bounty is conditional. Now, Sir, I do hope the Honourable Member realizes the very great difference between the conditions as laid down by the Railway Board and the conditions as laid down by the Indian Stores Department. What he said was that in accepting a tender they considered favourably the case of those firms who in future propose to utilise Indian materials for the manufacture of their wagons. That is to say, it is a sort of general condition which is made before the acceptance of a tender. I do not know what steps the Railway Board take to see that this particular condition is satisfied in respect of each particular wagon, as is done at present by the Indian Stores Department. I do hope, Sir, when the Honourable Member goes into this question, he will see that the line of action taken by the Railway Board follows

[Mr. K. C. Neogy.]

more or less the practice that has been set up by the Indian Stores Department in this matter.

Now, I do hope that the Honourable Member will not claim that he is doing any very extraordinary favour to the wagon manufacturing industry by agreeing to this measure of protection. As far as I have been able to see, the Railway Board have for sometime in the past followed a practice of giving preference to British manufacturers.

An Honourable Member: No.

Mr. K. C. Neogy: I do not know whether that statement of mine is challenged.

An Honourable Member: Yes.

Mr. K. C. Neogy: Well, is it? My Honourable friend evidently has not read the evidence which Sir William Meyer gave before the Acworth Committee in which he made a clean breast of the whole thing; he said that the British producers were given a measure of preference. But let me quote another authority on this point. I have in my hand the report on the conditions and prospects of British trade in India by His Majesty's Senior Trade Commissioner in India and Ceylon. This is for the year 1924-25. At page 101 of the report, the Honourable Member will find a reference to the special temporary practice which had been in vogue since the war of allowing some preference to British manufacturers of railway materials and which is alleged to have been discontinued as the result of a despatch of the Government of India addressed to the High Commissioner for India in London, dated December, 1921. I should like to point out that even under the terms of that despatch, it is quite open to the High Commissioner now to give a measure of preference to the British industries. Sir, this is what is said—I am quoting from the despatch of the Government of India to the High Commissioner:

“Departure from the principle of accepting the lowest satisfactory tender can be justified only in cases when the placing of an order with a foreign firm, though temporarily securing a cheaper article, might have the result of depriving the High Commissioner in future of a source of supply on which he might have to rely for completing further orders.”

There is absolutely no doubt, I take it, in the minds of any one here as to the particular country for whose benefit this exception has been laid down. Sir, I am glad that Sir Darcy Lindsay is now in his seat. When I was referring to his observations with regard to the Indianisation of the directorate of companies he was not in the House. I am very sorry that his remarks have been interpreted by some as an insinuation that Mr. Birla by putting forward a claim that there should be more Indians on the boards of these companies, was perhaps indirectly canvassing for a directorship.

Sir Darcy Lindsay: I never said anything of the sort.

Mr. K. C. Neogy: I am very glad that he has removed this misapprehension. But I know it as a fact that Mr. Birla was for a time a director of one of these companies which will benefit under the measure of protection that we are granting to-day, but he did not find it possible to continue having regard to his numerous engagements. I do appeal to my Honourable friend Sir Darcy Lindsay not to think that by putting forward these

claims on behalf of Indians any Honourable Member of this House is actuated by any personal motives at all. It is a fight for principle in which we Indians are engaged, and I do hope European Members will desist from making any uncharitable assumptions.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I wish only to make a few remarks and my justification for making those remarks, Sir, is that I find that certain principles which are detrimental to the interests of this country and which are also opposed to the decisions of this House have now begun to be advocated in this House. Sir, several times the Legislative Assembly has endorsed the principle of the State management of Railways, and the State management of Railways, in my judgment, includes also the State management of the industries which are essential for Railways. (Hear, hear.) Unfortunately, I find, Sir, now some Members belonging to the popular party advocating.....

Mr. M. S. Aney (Berar Representative): Only a few.

Mr. N. M. Joshi: advocating that the State instead of making wagons and such other articles required for Railways in their own workshops should purchase these from private workshops. Sir, this is against the policy endorsed by this House and I hope, Sir, that this House will not deviate from the policy which it has once approved. It is curious, Sir, that when the Government of India purchased the Peninsular Locomotive Company there was no opposition to that proposal from any quarter; on the contrary, I have found that questions were asked suggesting that Government did not pay sufficient money to that Company. Now, it is strange that when Government have purchased that company that people should suggest that Government should not make use of that plant purchased by them at a cost of Rs. 20 lakhs; and this is done, strange to say, in the interests of the country itself.

Sir Darcy Lindsay: Quite so.

Mr. N. M. Joshi: I am sure that the House does not think that it is in the interest of the country that Government workshops should be closed and preference should be given to private workshops.

Sir Darcy Lindsay: It is not preference given to private workshops. It will very likely reduce the cost of the wagons and underframes to Government

Mr. N. M. Joshi: Well, Sir, that is not the experience of the Committee which was appointed by the Government of India to examine the cost of railway workshops and private workshops. The Raven Committee's Report has made it quite clear that the cost in Government workshops is less than the cost in private workshops.

Sir Walter Willson: Do you accept the Raven Committee's Report?

Mr. N. M. Joshi: There is another danger against which I wish to warn this House and that danger is this. There is clearly a suggestion now, and it was admitted by Sir Walter Willson, that these wagon companies are forming a combine and will thus have a monopoly and will try to exploit the State by raising the prices.

Sir Walter Willson: I did not say they would; I only indicated the possibility.

Mr. N. M. Joshi: There is the possibility of the prices being raised and I want to place that possibility very clearly before the House. I am not against a monopoly if it is in the hands of the State; but a monopoly in private hands is a great danger. In this industry of wagon making there is bound to be a danger or a possibility of a monopoly being created. Therefore, the right policy for Government to adopt is not to assist these three wagon companies at all but to follow the policy of wait and see and I am quite sure that as they secured the Peninsular Locomotive Company they will be able to secure for the country these three wagon companies also. Sir, that is the right policy for the Government to follow, namely, to acquire the three wagon companies and make all the wagons which they want. I hope Government will not deviate from the right policy in this matter and will follow the policy which is really in the interests of the people of this country.

Sir Walter Willson: Sir, I really rise, in the first place, to make a personal explanation, which I intended to make in my first speech on this Bill but forgot to do so and was only reminded when Mr. Birla spoke. In accordance with my principle, I should declare that I have an interest, a very small and trifling interest, in one of these wagon companies.

Being up, I want to say that I entirely disagree with Mr. Birla that the taking into consideration of a salary bill has anything to do with whether an industry should be protected or not. If an industry is to be protected, it is to be protected in the interests of the country and not merely for wage earners or individuals.

I would like to say just one word in regard to an Indian character of the directors. I differ entirely from my friends Messrs. Birla and Neogy in what they have said about it. It is the right and the privilege of the share-holders to elect their directors and that privilege should not be interfered with. Moreover, it seems to me that those friends are wasting the time of the House in arguing the matter, because it seems to be so obvious that, as the Income-tax Department always say, evasion is so very easy. There would be no difficulty whatever in appointing one's cook and khitmatgar to the Board as 2 Indian directors.

In regard to the utilisation of Indian materials as far as possible, on principle, of course, one agrees with that, but you must not try and tighten it up too much. If you do that, you could reach a stage where a company started to work an industry could be forced to get its material from a company that has just ceased to deserve getting its protection.

I do not wish to develop any of these points at any length in view of the lateness of the hour and because we are discussing a very short Bill. I merely record my dissent to those remarks which have been made and I am quite sure that on some future occasion, my colleagues will be prepared to take up these points in greater detail if necessary.

The Honourable Sir George Rainy: Sir, in replying this debate I only wish to refer to what fell from my friend Mr. Neogy. The point he raised was whether the same principles apply to the placing of orders in India under this scheme, which has been put forward by the Tariff Board, as would have applied to the payment of bounties under the Steel Industry (Protection) Act, 1924. I do not think there is any difficulty at all about that. I am quite prepared to give an undertaking that orders will not

be placed under this scheme with any firm which would not have been eligible to receive bounties under the Steel Industry (Protection) Act, 1924. No previous speaker, I think, has brought out the point that the conditions laid down in section 5 of that Act, as to the share capital, registration under the Indian Companies Act, the number of Indian Directors and so on, only apply to a company, firm or other person not already engaged at the commencement of the Act of 1924 in the manufacture of wagons and underframes. The only firms, so far as I know, who have any chance of receiving orders are the three firms which actually received bounties under the Act of 1924. It is not at all likely that any new firm will start manufacture under existing conditions, so that it is not really a practical question at the moment to consider how these conditions should be applied. If, however, any new firm comes forward, Government will consider any tenders it may receive from such a firm in the light of section 5 of the Steel Industry (Protection) Act of 1924. So far as I am aware, the Governor-General in Council has not as yet, acting under that section, prescribed the number of directors, etc., the reason being that, so far as I know, the case for doing so never arose.

Finally as regards the spare parts of wagons being made in India, I believe that all the audit forms and certificates to which my Honourable friend referred, were drawn up by the Railway Board itself. I do not think there will be any difficulty in following precisely the same procedure in that matter. I do not think I should be justified in elaborating my reply to the debate any further, but if I leave the remarks of some speakers unanswered, I can assure them that all that has been said will be considered.

Mr. President: The question is.

“That the Bill, as amended, be passed.”

The motion was adopted.

The Assembly then adjourned for Lunch till Twenty Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock, Mr. President in the Chair.

THE INDIAN TERRITORIAL FORCE (AMENDMENT) BILL.

Mr. G. M. Young (Army Secretary): Sir, I move that the Bill further to amend the Indian Territorial Force Act, 1920, for certain purposes, as passed by the Council of State and as reported by the Select Committee, be taken into consideration.

The main object of this Bill, Sir, is the creation of urban units in the Indian Territorial Force and it is to that subject that I will address myself principally. Sir John Shea's Committee found in the course of their investigations that the existing battalions of the Indian Territorial Force do

[Mr. G. M. Young.] .

not provide a sufficient opening to the educated and professional classes for service in a citizen army, and they also found that there was considerable feeling caused by the fact that whereas there was no such opening for those classes in the Indian non-regular forces, in the Auxiliary Force such an opening exists for persons of the same classes who are Europeans. The remedy which they recommended was the creation of these urban units in the Indian Territorial Force. Now, Sir, the terms of recruitment and the conditions of the service that have been recommended have been agreed upon, and in any case do not find their way into the Act itself; they can be provided by rule. But there is one matter that has been very much debated and has to be provided for in the Act. That is the question of liability for service. The provincial units, as they are called, of the Indian Territorial Force have a liability for general service in India, extensible beyond the borders of India by general or special order of the Governor General in Council. On the other hand, the Auxiliary Force have a local liability only. On the question of general liability of the Indian Territorial Force I should like to quote some remarks which the Committee made. They said:

"It cannot be asserted too vigorously that the true defence of India lies beyond the borders of India, just as the Great War proved that the defence of the British Isles lay across the North Sea. It is significant in this connection to note that whereas before the Great War members of the territorial army in England had a liability for home defence only every member must now before enrolment accept a liability to serve in any part of the world. We, therefore, hold that the Indian Territorial Force, if it is to form a real second line to the regular army, must be available for service in any theatre in which the defence of India may demand its presence, whether across its land frontiers or overseas. Indeed, we would go so far as to maintain that unless the Indian Territorial Force has such a liability for service, its military value is not sufficient to warrant expenditure upon it from the military budget."

That was the view of the Committee, and it is accepted by Government in so far as it refers to a force which is intended to be a second line to the regular army. But the Auxiliary Force and the proposed urban units of the Indian Territorial Force are not intended to be a second line to the regular army in the same sense as the provincial battalions of the Indian Territorial Force. The reason does not arise out of any racial or theoretical distinction, but is simply a practical differentiation following upon the class and status of the person who serves in the unit, of whichever kind it may be. The Auxiliary Force is recruited in some provinces almost entirely from Government servants who, in the event of war, would have to continue in their occupations under Government, or if found fit for military service, could only be spared for service in the immediate vicinity. Another section of the Auxiliary Force is composed of business men in the largest of our cities, who belong to firms which have to carry on in time of war. It would be impossible for employers of those firms to allow their employees to join forces which would be drafted away bodily to the front in time of war. It is of course quite reasonable to expect them to be able to give up a proportion of their staff, just as Government in time of war can send a proportion of its civil officers to go and fight; and the training of those officers in the Auxiliary Force in peace time would of course materially enhance their value in war. But, as I say, it would not be possible for people in those walks of life to join battalions which would be taken away bodily in war time.

The same thing will apply to these proposed urban units of the Indian Territorial Force. We propose to draw upon the professional class—people whose avocations are such that they cannot, all of them at any rate, go away and fight in time of war.

Now, two of the Local Governments have made remarks on these points which I think are worth while quoting here. The Government of the United Provinces said as follows :

“The Committee for reasons stated in paragraph 6 of their report say that the active section of the Indian Territorial Force should be regarded

- (1) as a means of imparting military and patriotic ideals to the non-martial classes and familiarising them with military training and service,
- (2) as a second line to the regular army, its functions as such being to relieve regular units for garrison duties, to reinforce the first line in time of war and to be used in aid of the civil power.

The Governor in Council considers that these objects are incompatible. It is not possible to combine an educational scheme with one for the formation of units of real military value. From the military point of view, it is indisputable that any addition to strength should be of the highest quality obtainable and that no recourse should be had to inferior material so long as the superior can meet the demand caused by expansion and wastage. . . . The urban units for similar reasons are unlikely to be of much military value. The period of training is too short for that. But if it is accepted that their object is primarily educational and not military, they will be of great utility and from this point of view the expenditure on them will be justified. . . . But if the urban units are to be definitely educational it will not be desirable to impose on them a liability for general service. It may be possible to impose it later, but to insist on it at once would be to handicap the scheme from the start. The object in view is to familiarise the educated classes with military training and service and impart military and patriotic ideals to the non-martial classes. The liability to general service would frighten many who would otherwise join and defeat the object aimed at. Moreover this liability would have no real value from the military point of view.”

The Government of Bombay said as follows :

“This Government is prepared to concede that so far as concerns the provision of a practical second line to the Indian Army, of immediate potential use, the proposals of the Committee are unexceptionable and that if the military budget of India is not to be burdened with training units which are not likely to prove in the early future of any practical use in emergency, then no units should be embodied which are not liable for general service. At the same time it must record its opinion that to adopt this policy would, so far as this Presidency at least is concerned, result in one important respect in a fiasco which will react most unfavourably on the credit of Government in India. The imposition of the liability for general service on those units which are recruited from the Indian races and classes which have for centuries constituted the war-like forces of India, would probably have little effect on recruitment and I am to say that with regard to the Provincial Units this Government accepts the views of the Committee. But those other races described by the Committee as non-martial would, in the opinion of the Government, refuse to accept any such liability.”

Now, Sir, Honourable Members are aware that the Committee recommend that every branch of the Auxiliary and Territorial Forces should be liable for general service; and, as will be seen from the extracts that I have read out, the feeling of local Governments is that if a general liability were imposed upon the urban units there would be a grave danger of their never really getting started. The reason lies in the nature of the avocations of the people whom we hope to get in these units. They will be in exactly the same situation as regards liability as the Auxiliary Force, and meanwhile the Provincial Battalions will remain on their present footing of liability, that is, for general service.

[Mr. G. M. Young.]

Now, Sir, I wish to turn to one or two other points mentioned by the Select Committee. The Select Committee have strongly urged upon the Government that they should take all possible steps to establish at once at least one urban unit in every Governor's province, in order to provide reasonable facilities for enrolment to all persons wishing to join these units. Sir, the Government accept that proposal in principle, without any hesitation. The reasons why we recently started with only three units are, firstly, expense and, secondly, that we have no recommendation, or had then no recommendation, from any quarter for starting urban units in other places. Since then we have had recommendations from public bodies in Bengal for the foundation of an urban unit in Calcutta. That matter is now under discussion with the Local Government. If the Local Government recommend the formation of this unit, it will be formed as soon as funds can be provided: and the same applies to any other province in which, so far, there is no proposal to establish an urban unit.

Another point that the Committee recommended was that we should provide in the urban units an opportunity for boys between the ages of 16 and 18 to serve as cadets without liability for actual military service. This is what is done in the Auxiliary Force. Boys from 16 to 18 can serve in the Force without any liability. The Government are prepared to accept that recommendation, and will do this under the statutory rules.

The last recommendation of the Select Committee that I shall deal with was that the Governor General in Council should consider the advisability of appointing a Central Advisory Committee to advise him on matters connected with the administration of the Territorial Force generally. Sir, when the Government of India say that they will consider the advisability of doing something or other, Honourable Members generally heave a sigh, and after about 18 months ask us patiently what stage that consideration may have reached. On this occasion the consideration stage is complete, and Government have decided to appoint a Central Advisory Committee. I take it from an amendment down on the paper that it will be suggested, that provision for this Committee should be made in the Act itself. I do not think, Sir, that that would be necessary. There are various Advisory Committees to various Departments of the Government of India which are appointed under executive order and there is no reason why an Advisory Committee to the Army Department on these matters should not similarly be appointed. There is this further consideration that while the provincial and unit advisory committees provided for in the Act have definite functions in relation to definite units, the functions of the Central Committee will be purely advisory and general. For that reason, inasmuch as the Government have undertaken to constitute the Committee, I think that it would be unnecessary to introduce a new provision into the Act. I have nothing more to say at this stage.

Sir, I move.

Pandit Hirday Nath Kunzru (Agra Division: Non-Muhammadan Rural): Sir, when this Bill was last before the House, Honourable Members on this side urged that it should be referred to a Select Committee for several reasons. As the Honourable Member in charge of the Bill has pointed out, this Bill has been placed before the House in order to

remove all racial distinctions between the Indian Territorial Force and the Indian Auxiliary Force and to give the professional and urban classes the same opportunities in military training as are at present enjoyed by men who are entitled to join the Auxiliary Force. In the discussion that took place a few days ago it was pointed out that under the Auxiliary Force the minimum age of enrolment was 16 and that enrolled persons between the ages of 16 and 18 were not liable to military service. The Indian Territorial Force Act contains no such provisions and the age of enrolment is prescribed by statutory rules. I am glad to say, Sir, that this criticism has been paid heed to by Government and that they propose to place the Indian Territorial Force in this respect on the same footing as the Indian Auxiliary Force. But as my Honourable friend, the Member in charge of the Bill, knows, under section 11 of the Auxiliary Force Act, persons liable to perform military service are divided into three classes according to their age, and for every class a training suited to the age period involved is laid down under the rules. The Bill does not provide for any such classification of persons enrolled in the Indian Territorial Force or its urban units. I understand that it will be possible to give the members of the urban units of the Indian Territorial Force the same opportunities as are at present enjoyed by members of the Auxiliary Force under the rules. But I should like to have a definite assurance on that point in order to feel that this matter would be speedily given consideration to.

Another question which was raised at an earlier stage related to the liability of the Auxiliary Force for military service. As we all know, the Auxiliary and Territorial Forces Committee recommended that both the Indian Territorial Force and the Indian Auxiliary Force should have the same liability in regard to military service. This was a view which was put forward with considerable force by several Members on this side. Government have however found themselves unable to accept the recommendation of the Auxiliary and Territorial Forces Committee that the Auxiliary Force should be liable to general military service. My Honourable friend, Dr. Moonje, has, therefore, given notice of an amendment asking that the liability of the Indian Territorial Force should be reduced and should be limited to the confines of India. My Honourable friend, Mr. Young, read out to us many passages from the Report of the Auxiliary and Territorial Forces Committee

Mr. G. M. Young: One.

Pandit Hirday Nath Kunzru: I thought he read out two passages. Well, he read out a passage from the Report of the Auxiliary and Territorial Forces Committee impressing on us the undesirability of reducing the liability of the Indian Territorial Force. He pointed out to us that if the Indian Territorial Force was really to be a second line force its liability must be as general as that of the regular army. Now, I am sure he is aware that the Auxiliary and Territorial Forces Committee took account of all the objections that could be put forward against the view that the liability of the Auxiliary Force for service should be extended.

[Pandit Hirday Nath Kunzru.]

"Its value as a military force, however",

—say the Committee—

"is much reduced by its limited liability in that the military authorities are seriously handicapped by their inability to transfer its units from one point to another as they may wish in the event of an emergency. A further disadvantage of its limited liability lies in the fact that it encourages certain, undesirable types of recruit to enter the force who do not join from any desire to become efficient soldiers, but from purely personal, and often pecuniary motives. We have had the evidence of senior officers of the Auxiliary Force that the presence of such men in the ranks discourages other and keener men with the result that the efficiency of the whole unit suffers."

Later on, the Committee, referring to the fact that most of the members of the Auxiliary Force were men who, by reason of their civil avocations, were unlikely to be able to serve outside the areas in which they resided, observed:

"We feel that this attitude is not wholly correct. It is clear that the system of training should, within reasonable limits, be adapted to the civil avocations of members, and we have recognised this in our proposals for the formation of special urban territorial units for Indians of the educated and professional classes but the ultimate liability for service must, in order to enable the military authorities to make the fullest use in a grave emergency of all the available military forces, be governed by other considerations. . . . We advocate that in future its function (that is, of the Auxiliary Force) shall be that of a second line to the regular British troops in India."

Now, I am aware that the Local Governments are all opposed to this recommendation of the Auxiliary and Territorial Forces Committee but I am bound to point out that there is not one of the arguments advanced by the Local Governments which has not been considered by the Committee and replied to. If, however, after a full discussion of the merits of the matter in question by the Auxiliary and Territorial Forces Committee, Government are unable to accept its view with regard to the liability of the Auxiliary Force, I see no point in my Honourable friend Mr. Young getting up and quoting its opinions in regard to the liability of the Indian Territorial Force. If we can depart from its recommendations in regard to the Auxiliary Force, we can with equal propriety do so in regard to the Territorial Force also. I am glad that my Honourable friend Dr. Moonje has given notice of an amendment to reduce the liability of the Territorial Force. If his view is accepted by the House, section 10 of the Indian Territorial Force Act, which allows the Governor General in Council to require the Force to serve beyond the limits of India by a general or special order, would have to be amended. I hope that Honourable Members on this side of the House at least will accept the view which my friend Dr. Moonje will soon put forward.

With regard to permitting men between the ages of 16 and 18 to enrol in the urban units of the Territorial Force my Honourable friend Mr. Young said that that was a matter which could be dealt with under the rules. I should be surprised if so long as section 5 of the Indian Territorial Force Act remained in force Government could merely by rules allow persons between the ages of 16 and 18 to be free from liability for military service. Personally I think that the law would have to be changed in order to give effect to the purpose which both Members on this side of the House and Government have in view. I am therefore in favour of the amendment brought forward by Dr. Moonje seeking to

change the law in order to make it clear that cadets between 16 and 18 shall not be liable to military service.

The most important questions however that arise in this connection are those relating to the University Training Corps and the urban units. Now, I am aware, Sir, that my Honourable friend Mr. Young pointed out that the Select Committee has recommended that at least one urban unit should be established in every Governor's province but we all know that this recommendation cannot be given effect to unless funds are provided for the establishment of more urban units by the Finance Department. I do not know, Sir, whether the Finance Department has been consulted in this matter and whether the view put forward by the Select Committee has received the approval of Government. My Honourable friend Mr. Young stated that with regard to Calcutta the recommendation of the Select Committee was under consideration. I should like to be assured that the matter is under consideration with regard to other provinces also, and that Government would do their best to have at least one urban unit in every Governor's province.

An important point which should be considered with regard to the expansion of the urban units is connected with the fact that an arbitrary limit has been placed upon the expansion of the Indian Territorial Force by the Secretary of State. My Honourable friend Mr. Young, replying to starred question No. 963, put by my friend Dr. Moonje on the 15th March 1927, admitted that the Indian Territorial Force which included the University Training Corps, was limited to 20,000. If it is meant to make the urban units a reality and to give the urban and professional classes the same opportunities of military service as are now enjoyed by the Europeans and Anglo-Indians, it is necessary that this limit should be removed. I know that the size of the urban units may be kept so small that even when an urban unit has been established in every province the number of men in the Indian Territorial Force may still be within the limits prescribed by the Secretary of State. But if you really mean to provide an opportunity to the members of the urban classes for receiving military training, the size of the urban units should be such as to enable persons living at least within all important urban areas to offer themselves for enrolment. The second point that I have to raise in this connection is that till last year the strength of the University Training Corps was included in calculating the strength of the Indian Territorial Force. Now, I do not know whether, in view of the recommendation of the Auxiliary and Territorial Forces Committee that no arbitrary limit should be set to the expansion of the University Training Corps, the original decision has been modified and the strength of the University Training Corps will not be considered in determining the strength of the Indian Territorial Force. I understand that the University Training Corps will now be treated as a corps by itself and that the limit of 20,000 will now apply only to the Indian Territorial Force proper, which includes the urban and provincial units. If so, we shall have at any rate in the immediate future an opportunity of making a beginning in the direction of having real urban units in the different provinces. But our full object will not be achieved so long as the arbitrary limit placed on the expansion of the Indian Territorial Force is not removed. At present it has to be remembered that while the Auxiliary Force contains about 31,500 men, the Indian Territorial Force contains only about 14,700.

[Pandit Hirday Nath Kunzru.]

With regard to the University Training Corps the Auxiliary and Territorial Forces Committee recommended that:

"in order to attract suitable men to become officers and to enable them to make themselves efficient without pecuniary loss, officers of the University Training Corps units should on first appointment receive commissions as second-lieutenants on a special list of the Indian Territorial Force or in the case of Europeans and Anglo-Indians of the Auxiliary Force and should be subsequently seconded for duty with the University Training Corps. They should be paid for any period spent in camp or in the course of instruction."

Now, under clause 5 of the Bill before us, there will be two grades of officers, senior officers and junior officers. The senior officers will hold King's Commissions while junior officers will hold commissions granted by the Governor General with Indian designation of rank. I trust however that with regard to the University Training Corps this course will not be followed. If the senior officers are men holding King's Commissions and the junior officers are men holding commissions granted by the Governor General carrying Indian designation of rank, I am afraid it will not conduce to administrative smoothness or efficiency. There will be a great deal of friction and heart-burning. I trust therefore that the organization of the University Training Corps will be the same as that of a British unit so that there may be no invidious distinction made between officers holding senior and junior commissions.

Another important recommendation made with regard to the University Training Corps by the Auxiliary and Territorial Forces Committee was that:

"a special certificate or certificates of proficiency should in course of time be instituted in University Training Corps units on the lines of the A & B certificates in officers' training corps in England the holders of which should be entitled to a proportion of marks in the competitive examination for Sandhurst, provided they qualify in all the subjects of the examination in which it is necessary for them to qualify."

In another part of the Report the Committee recommended that the Indian Territorial Force should definitely be regarded as the foundation on which the Indian Territorial Force was to be built and said:

"where possible, officers for the Indian Territorial Force should be chosen from among men who have had previous military training in the University Training Corps."

These, Sir, are important points. I understand that they have been under the consideration of the military authorities. But they involve important questions of principle, and I think it is necessary that we should have clear and unambiguous replies from Government in regard to all the matters that I have raised. The University Training Corps is according to the Territorial and Auxiliary Forces Committee to be the foundation of the national army of the future. It is therefore necessary that it should be treated in such a way as to be attractive to young men particularly in the Universities and to be a means of spreading the idea of military service amongst urban and professional classes. The success of the scheme which has now been laid before us depends on the manner in which the University Training Corps and the urban units are treated by Government and I trust, Sir, that this point will be borne in mind by Government when they come to take practical measures in order to give effect to the proposals which are contained in the legislation now before this House.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Sir, I beg to support the motion which is before us. At the same time, Sir, there are a few remarks which I want to make on the subject of the general policy that ought to be pursued if the Indian Territorial Force is going to fulfil the objects for which it has been created. However excellent the Bill may be, unless it is worked in the right spirit and the true spirit for which it has been enacted, we feel that the real object for which this Force has been created at the desire of this House will never be carried out, and I want to show that so far it is quite clear that the main object, stated in the Shea Committee's Report that the Territorial Force is a means of imparting military and patriotic ideals to the non-martial classes and of familiarising them with military training, has not been carried out. Sir, I want to lay considerable stress on the words "non-martial classes," and I want to show that so far as the policy of those who control this Force is known to us at the present time, it is clear that the non-martial classes have not been brought into the units, except in the very small units known as the University Training Corps. Although I do agree with my friend Pandit Hirday Nath Kunzru that the University Training Corps are going to be, as it were, the chief foundation of a national territorial army, I think that is not enough, because that can never be so large in size as to make a real difference. But the whole object of bringing in the non-martial classes so as to make a national second line, unless it is given effect to in the wider units, will not be carried out, and for that reason, Sir, I ask your permission to quote a very few extracts from the evidence given before the Shea Committee by officers who are actually in command of territorial units.

Major Cardew of the 11/18th Garhwal Rifles when asked as to what type of men were recruited in the territorial regiments, said as follows:

"He is the same type of man that we get as regular soldiers."

Then again, when Major Grylls, Adjutant, 11/1st Punjab Regiment, was asked the same question, he said:

"As long as they cannot get anything better to do, the class that is enlisted in the regular Indian Army will always come in, but I cannot get a single man from any other class. I have had absolutely no response whatsoever in any part of the Punjab from classes which do not nominally enlist in the Indian Army."

Then again Major Name, Adjutant of the 11th/3rd Madras Regiment, says, when asked if he made any particular effort to get into his battalion men of other classes than those that actually belong to the regular army:

"I do not make any particular effort, but I did at first."

Now, Sir, what I want to show from this is, in the first place, that so far something has happened which has kept away the non-martial classes from coming into the Territorial Force, and something has also happened which has kept away officers commanding these regiments from attracting these men. It may be argued that, if men of this class do not come in, it is not the fault of those who administer the Act or of those who command the regiments. I think, Sir, that there is something more at the bottom of all this. Why is it that even in the Punjab, where there are so many martial traditions, and where you have excellent material in the urban classes, these men do not come into the Territorial Force. The reason to my mind, and I speak from inquiries from

[The Revd. J. C. Chatterjee.]

officers who are in the territorial regiments and from men who are likely to enlist or who do enlist, is that the officers that are appointed to command these regiments are taken from the regular army and due consideration is not given to the claims of the non-martial classes when officers are selected in the Territorial Force. I do not blame them in the least; It is not their fault. It is quite natural that they should confine themselves to men who are either demobilised soldiers or men who generally enlist themselves in the regular army and are therefore known to them all their lives. It is also true that such men, especially the demobilised soldiers, understand military discipline much more and give very much less trouble. Therefore, these men are more welcome and the officers commanding quite naturally do not go out of their way in search of other men. But they ought to try and bring in the class of men for which the Territorial army has been constituted.

Another very strong reason is that if we look at the personnel of the Indian officers in the Territorial Force—and here I speak from my close knowledge of one regiment in the Punjab—you will find that the Indian officers there are largely demobilised officers holding the King's commission, or those who have retired from some other ranks. Such an officer knows the class of men he has always dealt with and he appreciates that class of men. I asked certain questions the other day and tried to bring out one fact which I believe to be true to the best of my knowledge, namely, that Indian officers who are drafted from the educated classes, men with University training, posted to these territorial regiments find themselves as fish out of water in some of these regiments. They do not find the same life there to which they have been used, because there they have to mix with a large number of demobilised officers and consequently there have been a good many resignations of this class of officers from the territorial regiments. Although I was not able to elicit full information by my question, still the fact remains that there is a great deal of grievance and a good deal of dissatisfaction among this class of officer who has gone to the Army at a good deal of personal inconvenience to himself. The result is that most of the officers, being of the kind that I have described, those come from the non-martial class, keep themselves back from enlisting. What I want to plead for is that something should be done to bring in the non-martial class, and if you do so, you will fulfil the object for which the territorial army has been formed.

I also want to draw the attention of the House to the recommendation made by the Select Committee to the effect that in every major province there should be urban units. That, I believe, lies at the foundation of our aim for the territorial army. So far, we know that Government propose to create three urban units only, two of these are to be located in Bombay and one in Madras.

Mr. B. Das (Orissa Division: Non-Muhammadian): And one in Bengal also.

The Revd. J. C. Chatterjee: Not in Bengal at the present time.

Mr. B. Das: Do you mean to say that Bengal is not fit enough for the territorial army?

The Revd. J. C. Chatterjee: I want to draw the attention of Government to this subject. It seems to me more than surprising that a province like that of the Punjab should have no urban unit. If there is any province where an urban unit would, I believe, be successful, it is the province of the Punjab where the educated and the so-called non-martial classes do have very strong military traditions. It may be argued that at a time when this decision was taken there were certain local conditions in the Punjab which made it rather difficult for the Government of the province to ask for an urban unit. I know, Sir, that these conditions have been very vastly altered and even if they remain the same to some extent, there is no reason whatever for not giving the educated classes of the Punjab outside the narrow circle of the University a chance of enlisting themselves in the national army. I very strongly plead that Government should, without any delay, create an urban unit in the Punjab, and I also hope in Bengal and elsewhere.

In conclusion I would say one thing and that is that Government and the Army have accepted the principle that underlies the Indian Territorial Force Act, that is to say, the bringing in of the non-martial classes, the bringing in of the educated classes to fit themselves for the defence of their country. It is not an easy job. It is very often a very difficult job, and, as pointed out from the evidence that has been read, British officers in charge of these territorial units do find it an uninviting and thankless job. But, since you have accepted it, it is up to them to carry on the task wholeheartedly, unless they go out of their way and do not act as one is said to have done, that he makes no effort whatever to bring in the non-martial classes. Unless they give up this attitude, this Bill is not going to be a success, and if the Territorial Act is to continue, with but a few improvements here and there, the whole object is defeated. Then the Army Budget will be inflated and we will be merely creating a reservist wing of the Army and not a national army. I wonder very much whether the real success of the territorial army will not depend on the ultimate control of that army. In other countries the territorial army is under civil control. Perhaps we have got to acknowledge that even in this country it will have to come actually under civil control and not merely remain a wing of the regular army.

His Excellency the Commander-in-Chief: Sir, before I speak on the Bill before the House I should like, with your permission, to say a few words about another matter. I am sorry that I was prevented from being present in the House on the 10th instant, for had I been present, certain misunderstandings, I think, would not have occurred. You and I have been able to clear up those misunderstandings between us, and I am glad to be addressing you again; Sir, on the floor of this House. (Applause.)

As regards the Bill before the House, I think Honourable Members have already heard from the Army Secretary that one of the main objects of this Bill is to provide for the creation of urban units in the Indian Territorial Force, and so to give the educated and professional classes an opportunity they have not hitherto enjoyed of playing a part in the citizen army. I hope that the House may be able to agree to such a laudable

object. and that the Bill may shortly pass through its final stage and become law. I, Sir, wish it all possible prosperity.

Mr. President: We are all glad to see His Excellency the Commander-in-Chief in his seat to-day, and to have heard his opening sentences. Had the Chair been told before the debate was initiated on the 10th what it has learnt since, these misunderstandings would have been avoided. I should in that case have arranged for postponement of the debate, and the remarks that fell from my lips the other day would neither have been occasioned nor made. As it is I am very glad that the misunderstandings have been cleared up. (Applause).

Colonel Moonje. (Loud Laughter).

Dr. B. S. Moonje (Nagpur Division: Non-Muhammadian): Sir, I thank you for the compliment you have paid me.

I have carefully listened to the speech of my friend, Mr. Mackworth Young. I had expected that he would take particular care to explain as to why he is not willing to remove the racial distinction that exists between the Auxiliary Force and the Territorial Force. I was so long under the impression that this Bill has been brought before this House with the set purpose of removing these distinctions which have been brought out so clearly by the Shea Committee itself. To-day I learn for the first time that the object of the Bill is merely to create urban units. (Mr. G. M. Young: "One of the objects".) One of the objects. I am glad to have it so definite. One of the objects I am now told is to create urban units. Is it the chief object or is it only one of the objects? If it is the chief object, I should have expected that the chief object would have been the removal of racial distinctions which exist between the Auxiliary Force and the Territorial Force. That has not been done. Therefore one of the objects, and the chief object, is the creation of urban units. Perhaps the Honourable Member will take occasion to explain later on why he has not thought fit to explain why these distinctions must remain. As for me I have failed to find out why those distinctions should remain. All the reasons that I have found point the other way. The Shea Committee have reported and have definitely recommended that the liability for service between the two forces should be identical. If so much force is laid upon one part of the recommendations of the same Committee. I do not see why similar emphasis should not be laid upon the other portions of its recommendations. However I shall bring to the notice of my Honourable friend, the Indian Defence Force. His point is that liability for service in the Auxiliary Force should be merely local and should not be made an all-India liability. What are his objections? I do not see these objections were prevailing when, in 1917, the Indian Defence Force was brought into being. Section 3 of the Indian Defence Act says:

"Every male European British subject . . . shall be deemed to be enrolled for general military service within the meaning of this Act."

It is further explained in section 6 which says:

"Every person deemed to be so enrolled . . . shall be liable to serve in any part of India."

If there was no objection to prescribing general liability to service in the Defence Force in which there was no distinction made in respect of this matter between the Indian and the British sections of the Force, I do

not see why there should be any objection raised to it to-day. We, on our part, on this side of the House, are not anxious to curtail the liability of our Territorials. We are anxious, on the other hand, that the liability should have been so general that our Territorial Forces should operate not only in India but also outside India for the defence of India. If there is an invasion of India, if there is a possibility of such an invasion, if we see that plans are being concerted in any country for the invasion of India, we should be the first people to agree that our Territorial Forces should go beyond our frontiers. We are not anxious to have a contracted liability but what we are anxious for is that we must start on this experiment under the best of auspices. We do not want to start on this experiment by raising fresh prejudices at the very outset. Now you are making a distinction in the Territorial Force itself in the matter of liability for service as between the provincial and the urban units. You thus start in a way which is bound to create a kind of prejudice between the urban people and the rural people by evolving a new distinction between urban people and rural people which may turn out to be a fruitful source of unhealthy rivalry or even wicked jealousy. You have provided for the urban people a liability only to local service, while you say that the rural people should have a liability for service even beyond the frontiers of India. Rural people to serve beyond the frontiers of India and urban people to have merely a local liability for service! Now, we can be very well accused by our own people, the rural class of people, that these urban people sitting on cushion chairs in this Assembly have sought for ourselves a liability which is an arm-chair liability, doing military service sitting in our own homes, while the rural people not having a seat in the Assembly have to leave their homes and go even beyond the frontiers of India. It will be said that we do not care for their interests and that we are sending them beyond the frontiers of India to be killed and massacred. That is a kind of jealousy which I do not want to be started just at the very beginning of this new experiment. If there is going to be a liability for service beyond the frontiers of India, let there be a general liability all throughout, both for the urban and the rural, both for the Auxiliary and the Territorial Forces. I can understand that. The objections that have been raised to extending the liability of the Auxiliary Force have been very well met by the Committee itself in their Report, which has been referred to by my friend Mr. Kunzru. The same objections were raised when the Defence Force of 1917 was started; and no less a person than His Excellency the Viceroy has disposed of those objections. In his speech introducing the Bill for the Defence Force of 1917 His Excellency the Viceroy says:

"As the British element under this Act is to be dealt with on the same lines as those of the British Regulars, so the Indian element will come under the same military conditions which apply to the Indian regular forces, saving the fact in both cases"—that is, the British branch and the Indian branch—

"that service is to be within India",

that is, liability for general military service, and not only local service. Therefore, there was no distinction between the British branch and the Indian branch of the Indian Defence Force. The liability was common; what we say to-day is exactly the same that between the Auxiliary Force and the Territorial Force there ought to be no racial distinction. Let the liability be common, just as it was made in 1917. The objections similar to those that are raised now were no doubt urged before His Excellency,

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and His Excellency the Viceroy disposed of those objections in these words in 1917—Legislative Council Debates, 21st February, 1917, page 319:

"I have seen it suggested that industries will suffer as a consequence of this measure. You cannot have legislation of this nature without concomitant inconveniences, but the Government of India hope that under the provisions of the Bill and the regulations drawn up under it, no needless hardship will be imposed. . . . We hope that under the machinery of the Bill the least possible disturbance of industry or hardship will take place."

This exactly applies even to-day to the Auxiliary Force which is merely a new transformation of the old British branch of the Defence Force. I have thus not yet come across one single reason which can make me change my opinion. I have, however, an open mind on the subject still.

Having thus disposed of this point, as to why there ought not to be any distinction between the liabilities of the Auxiliary Force and the Territorial Force, let me go and take a little general view. Why is there such anxiety that there ought not to be general liability for the Auxiliary Force? Why is this anxiety that the liability of the Territorial Force should be also for service beyond India and the liability of the Auxiliary Force should be only local? Why is this? Let us go into the history. I have been reading the history; I have been reading the books and I have found that in the Report of the Shea Committee a question was asked and a reply was given by Mr. Neville, I.C.S., District Magistrate of Agra, which throws in a flood of light on the point. Dr. Mullick asked him the question:

"Taking the Auxiliary Force as it is, what is your opinion about the value of that force? In what way is it of use to the Army?"

The reply was:

"The trouble with the Auxiliary Force is that the population composing that force is not distributed as the Army would have it distributed."

If I had been there in his place I would have added one more sentence and that is that I am sorry that the population is not large enough for being recruited in larger numbers. He further says:

"But I can refer you again to the Esher Committee's Report in which Lord Esher himself has said that if you do not have the Auxiliary Force or something equal to it, you must have a larger number of British troops."

If you are not going to have the Auxiliary Force

Mr. President: Order, order. The Honourable Member will not be allowed to repeat these arguments when he moves his amendments.

Dr. B. S. Moonje: Sir, whatever I say now will apply to all the amendments that I have to move.

Mr. President: Therefore, he will not be allowed to repeat those arguments.

Dr. B. S. Moonje: I bow to your ruling, Sir. Now, the point as made out by Mr. Neville is that, if there is an Auxiliary Force and if it is sufficiently strong, there will be no need for British troops to such an extent as there will be for them if the Auxiliary Force is not of sufficient strength. What is the meaning of it? Has it any meaning? It has a meaning,

and I will show to the House what that meaning is. His Excellency the Viceroy said in the same strain in 1917—see page 319, Legislative Council Debates, 1917, dated 21st February—as follows:

“The Army in India has always been composed of a blend in certain proportion of British and Indian troops. The principle of the blend is no new thing in military history . . . and now to preserve the proportions of this blend we find it necessary to replace these British units which are required for the decisive theatres of war, and to do this effectively and equitably it is obviously imperative to introduce compulsion.”

Now, Sir, compulsion is a thing, I am told by British officers, which is very obnoxious to their nature, and yet when the emergency came that same obnoxious principle was applied to the Auxiliary Force simply because the British troops had to be sent out of India and there was not another British element found to replace the British troops, and therefore this Auxiliary Force was enlisted under compulsion. The meaning is that there must be a certain proportion of British troops along with the Indian troops so that the Indian troops may be sent out of India and a sufficient number of British troops always kept in India. Of course, I have no objection to any number of British troops being kept in India. If the British rulers still think that they cannot sufficiently trust us, they can have any number of British troops in India provided the money is paid out of the British exchequer, and provided that ample opportunities are given for the training of Indians as officers in the Army and for general military training to the people of India.

Pandit Hirday Nath Kunzru: Not even then.

Dr. B. S. Moonje: You may not have them even then, but if the Government insists upon having a certain proportion of British troops, you cannot prevent it, and I can only say this much, that you can have the British troops here provided the whole cost is paid by the British Treasury and nothing is paid out of the Indian Treasury. Now, Sir, this kind of mentality of differentiation between the Britisher and the Indian in India goes right up to the beginning of the British rule in this country. When the country was being disarmed by the passing of the Arms Act, there was a Council of His Excellency the Governor General, and there was not even one Indian in that Council. A controversy arose in that Council as to whether the Arms Act should be applied to all people residing in India irrespective of the fact as to whether he is an Indian or a Britisher and whether the Europeans, Americans and people of European descent should be exempted from the operation of the Arms Act.

Mr. Harrington was not for this “invidious distinction,” as he calls it, but there was Sir Charles Jackson, who was a Judge of the Supreme Court, and his remarks are very instructive. He says:

“This, however, was a political question and looking at it in that view, it was impossible to say that Europeans would use arms against the Government.”

Therefore, the Indians should be disarmed and the Europeans—even the Americans—and everybody else who is not an Indian can have arms to his heart's content. It is this that is galling to the mind of the Indian, and to what extent this humiliation goes right down to the bottom of our hearts, I cannot describe in better words than those of the late Lord Sinha who had acquired such an amount of confidence with the British Government that he was appointed even the Governor of a province.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non Muhammadan): We abolished that in the first Assembly—racial distinctions.

Dr. B. S. Moonje: He says in his Congress Presidential speech:

“While the humblest European and Eurasian and even the West Indian Negro has the right to carry arms the law of the land denies even to the most law-abiding and respectable Indian the privilege of possessing and carrying arms of any description except as a matter of special concession and indulgence often depending on the whim and caprice of the unsympathetic officials.”

He further says:

“There can be, I venture to think, no sense of true citizenship where there is no responsibility for the defence of one's own country. If there is trouble, others will quiet it down; if there is a riot, others will subdue it; if there is a danger, others will face it; if our country is in peril, others will defend it.”

That is how a man of the position of Lord Sinha has felt the sting of humiliation in his heart owing to this racial distinction. We here are bent upon removing this racial distinction in the public administration of our country.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): But certainly it has been removed already.

Dr. B. S. Moonje: I said the other day that the administration of the country should be carried on absolutely shorn of all communalism and communal considerations. In India, in this Department of the Army, which is a vital department as it concerns the defence of India, this kind of racial distinction is made and this distinction is made to such an extent that an amount of money is being wasted for a purpose of which the military utility is being questioned on all hands. The other day my friend Raja Ghazanfar Ali Khan distinctly said that in trans-frontier wars, the British soldier is not equal to the Indian soldier in fighting capacity, and if that is so, much less would a soldier of the Auxiliary Force be in removing any menace of aggression from the North-West frontier. And yet, how much money is being spent for that Force? I am reading from budget estimates of the expenditure on military service for this year.

Mr. K. Ahmed: They require a little more at present to suppress Hindu-Muhammadan riots.

Dr. B. S. Moonje: I am coming to that. I read from the Military Budget, 1928-29, page 273:

“This Force has taken the place of the old Volunteer Force. The units composing it are liable to be called out and employed for local service only.”

And how much money is to be spent on it? Rs. 61,74,610, and on the Territorial Force only Rs. 29,10,120. On the Territorial Force only Rs. 29 lakhs and on the Auxiliary Force as much as Rs. 61 lakhs; and this Territorial Force is a potential force which alone can guarantee you the defence of India. The Auxiliary Force cannot help you in any emergency. Knowing all these things, this kind of racial distinction is being made not only in enrolment, not only in training, but also in matters of payment. As regards payment, I have been reading the Shea Committee's Report, and you can note the mentality which has distinguished some of the British

witnesses. Major Stewart in his examination said on page 375 of the Report as follows. Mr. Burdon asked him the question:

"Supposing that in the matter of pay and expenses reversions were made to the practice obtaining in the old Volunteer Force, how do you think it would affect the Auxiliary Force?"

Major Stewart replied:

"I think it would disband it."

To a further question by Mr. Burdon, Major Stewart said that the necessity of payment would still remain. Mr. Burdon asked him:

"I contemplate a system under which all out of pocket expenses will be paid by Government."

Major Stewart replied:

"The necessity of pay would still remain. A great many of these people have other expenses. At home they have got their wives and children. They have a great many out of pocket expenses."

Therefore pay should be given them, and out of pocket expenses also should be given them. But as regards Indians in the Territorial Force the same gentleman says:

"But we expect the officers of the Territorial Force to be people of consequence, who will not be worried about questions of pay. If they are so hard up as to mind whether they get Rs. 75 or Rs. 100 they are not much use as officers. We want people of better standing than that."

That is the kind of racial mentality which is galling to us. I want the Government to divest itself of this mentality. I want the Government to have a change of heart. I can assure the Government, if they really have a change of heart, they need not be anxious about the security of India. They need not be anxious about any kind of aggression against India. India has got the will. India has got the resources, both in finances and in men. If you could only cleanse your heart, trust, and have faith in us—we have demonstrated our faith, we have demonstrated that we are capable of being trusted—if you only cleanse your heart and give us a trial, you will see that all your anxiety not only for the defence of India but for the defence of the Empire also, wherever it may be affected, will go. Having disarmed the country in the way that I have described, they began to rule us and brought into being a force which was called the Volunteer Force. In that Volunteer Force only British people, people of British descent alone, were eligible for enrolment, and no Indian was eligible. In spite of the fact that just beyond the frontiers of India there is a territory of fierce fighting people where there is no Arms Act, where every man is armed with a rifle, an up-to-date first class rifle,—knowing all that, still there is an Arms Act here that is being enforced with so much strictness. Having done that, you started the Indian Defence Force. When the Indian Defence Force was started, there was an emergency and it is rightly said that an emergency is a potent solvent of all kinds of prejudices. At that time there was no such distinction as between the Indian section and the British section. As regards pay there might have been but as regards liability and other matters such as training there was no difference because, when the soldiers of the Territorial Force were required to go outside the country to fight the battles of the

[Dr. B. S. Moonje.]

Empire, no question of deficiency in military training could have been tolerated on the battlefields. If in bringing up such kinds of Bills the idea be the general one of preparing India for its defence, then in view of the situation as created by the late war round about India, the only course that will enable us to tide over difficulties is that adopted by Japan about 60 years ago. It has been said of Japan

Mr. President: Order, order. How long is the Honourable Member going to take?

Dr. B. S. Moonje: About 15 minutes.

Mr. President: The Honourable Member knows that if this Bill is not finished to-day, he will have very few supporters left in this House on the 27th.

Dr. B. S. Moonje: I shall finish very soon. I was about to say that if the Government really desires India to be prepared for its defence they should take a leaf out of the history of Japan. Hardly 60 years ago Japan was in the same sociological condition as India. Fighting was confined to one particular class and other classes of people were not given the right of fighting. Having seen the difficulties, they removed all those restrictions and made it compulsory for young men between the ages of 17 and 41 to fight for their country. Some such scheme alone will enable India to be prepared for its defence. But I find a radical difference in the very conception of the idea of the Auxiliary Force and the Territorial Force. It is worth noting with what idea the Auxiliary Force has been started. The Shea Committee's Report says

"The Auxiliary Force is an organisation of a peculiar nature based primarily upon the right of the European British subject residing in India to protect his life and property from possible attack and the principle that it is better that that right should be exercised in a definite and organised manner having the sanction of law than as the wishes of private individuals may dictate."

This is the idea which has inspired the constitution of the Auxiliary Force. Is there no Government established by law in this country for these European British subjects? Why should Europeans alone residing in this country have the right of possessing arms for the defence of their property and person. Have not the 300 millions of India property? Have they no life? Is there no occasion for attack upon them? It is this racial distinction which causes real heart searching in the minds of men of the type of Lord Sinha who say "Will ever a time come in this British rule whereby by mutual good will and mutual co-operation there could be occasion for Indians to be given equal chances of training for the defence of India." If that is so, it is impossible for us to agree to keep up these racial distinctions in the two Bills that are coming up before us.

With these general remarks I close. I shall reserve whatever further I have to say upon individual amendments when they will be moved.

Colonel J. D. Crawford (Bengal: European): Sir, I understand that we are discussing the Indian Territorial Force (Amendment) Bill, and my friend Dr. Moonje, whom you antly called Colonel, has given us a very long harangue on the Auxiliary Force (Amendment) Bill. I understand his suggestion really is intended to limit the service of the Indian Territorial

Force to within the limits of India. But in his opening sentences, that military study in which he has been indulging, forced the truth from him and he said, "I must admit, if I have an Indian Territorial Force at all, if it is going to be any use to me as a national force, then it must be prepared, in the defence of India, to serve beyond the confines of India". And if he admits, as any military man must admit, that that Force must go outside India, then he must turn to what I imagine should be his right argument, which is either to oppose the Auxiliary Force Bill altogether or press, as he did, for the extension of the liability of that Force. He said he was open to conviction, if anybody could produce arguments, for a limited liability for the Indian Auxiliary Force or for the urban units which are included in the existing Bill. Well, I will deal with the Indian Auxiliary Force. The idea of the Committee was that it might form a second line to our British regiments of the regular army. Now, I submit that that is fundamentally unsound, and it is one of the lessons which we definitely learnt in the War and a mistake we should not commit again. After all it is no good making mistakes unless you learn from them. Your Auxiliary Force and your urban units are formed for the purpose of giving professional men and men who cannot voluntarily undertake more than a limited liability owing to their profession or their business position a chance to do some service. And those are the men, be they Indian or be they European, who in the event of war should form your potential reserve of officers. In the Great War, so far as England was concerned, we used men in these types of units in the front line as fighting troops, which should really have been retained to provide us with the reserve of officers which we did not get at the later stages of the War. We lost very good officer material simply by using it fighting in the rank and file. That I hold was a very great mistake and we would be making a very great mistake in India if we committed them to a general liability and intended to use them as whole units on the outbreak of war in the fighting line. Therefore, it seems quite right to my mind and a sound provision that we should say so to these gentlemen who for their own private reasons are not in the first instance prepared to commit themselves to a liability in regard to matters of defence other than a local liability. We should have a definite limited liability for them which they can accept voluntarily and we will have then some reserve of officers at hand. Now take your Auxiliary Force. A great portion of that Auxiliary Force are taken from your Railways. Obviously we cannot deplete our Railways in time of war by taking away all the staff and sending it off as a battalion to fight on the North-West Frontier. That is obviously unsound. But we can give those people on the Railways a certain amount of military training that will enable them, on the outbreak of war, to undertake the protection of our strategic railways. As regards other elements of the Auxiliary Force, I hold that none of the men now serving in those Forces could on a voluntary basis undertake, in view of their employment and of their contracts with their employers or their own professional necessities, a liability, that was not compulsorily imposed in an emergency, to go outside India because such a liability would entirely destroy either their professional work or their utility to their employers, and no employer, be it Government or be it the private business man, would be prepared to allow his employees to undertake an extended liability of that nature which might entirely destroy his business or make his position very difficult. It seems to me, therefore, that Dr. Moonje has unduly stressed the question of racial considerations. What we want to do is to take the actual practical

[Colonel J. D. Crawford.]

position. What do we want our Indian Territorial Force for? It is our national army and it is intended to fight in the defence of India. That being so, it must be prepared, if it is to make an effective defence of India, to serve outside India. Let us agree on that. Then, have we any need for anything in the nature of a force with a limited liability of military service? I hold that you have here a useful force and a training ground for potential officers, in that in time of war you do not entirely deplete your country of all troops and that those men who only owing to their professional requirements or for private reasons can only accept a limited liability, they are there, and they can say in war time "We will look after the local defence here and we will release regular troops and others to go actually to the front."

Mr. M. S. Aney: That is his point.

Colonel J. D. Crawford: You hold that that is objectionable?

Mr. M. S. Aney: That is his point.

Colonel J. D. Crawford: I think you are quite right to say to a man like Rai Sahib Harbilas Sarda, "My business does not allow me to go outside the country, but if you want me to take a part in the defence of my country, I am prepared to undertake local defence".

Dr. B. S. Moonje: You might explain as to how that was brought about in 1917 when the liability for service was made general.

Colonel J. D. Crawford: You then did it under compulsion. But to-day you are doing it on a voluntary basis. You are not doing the whole thing as a compulsory measure. You might have to take a compulsory measure when the emergency has arisen, but to-day you are doing it on a voluntary basis, and your volunteer looks into the conditions offered and he says, "Well, I am afraid voluntarily I cannot undertake the liability."

Dr. B. S. Moonje: One more point. The liability for service shall be during the war, during times of war. When another war will begin, when you will be called upon to serve, you will be asked to enrol under compulsion and then your liability will be general liability.

Colonel J. D. Crawford: There are wars and wars. There are wars that do not necessarily demand mobilization of the whole nation. When you have really the big show, you may have to mobilize your entire regular army. There might be another show that might necessitate the mobilization of your Territorial Force, or you might have a war such as the Great War which might necessitate the mobilization of the whole nation, and that is the time only when I think you would be justified or you would get the public to agree to a measure of compulsion. The ordinary man in ordinary times is faced with a difficulty. He says, "I cannot undertake this extended liability". But he says, "I am prepared to train myself and to accept a limited liability in case of war, and when compulsion is necessitated, you have men who are at least partially trained." I hold therefore that on the whole the present Bills are in themselves sound and giving this limited liability to both Europeans and Indians if they want to accept it.

(Several Honourable Members moved that the question be put.)

The President: The question is that the question be now put.

The motion was adopted.

The President: The question is:

"That the Bill further to amend the Indian Territorial Force Act, 1920, for certain purposes, as passed by the Council of State and as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. President: We will now proceed to the consideration of the Bill clause by clause. The procedure that I propose to adopt in doing so is this. There are two amendments to clause 2 from Dr. Moonje. They are, as I understand, consequential to the acceptance of his amendment to clause 9; and therefore unless the amendment to clause 9 is disposed of, it is no use taking up amendments to clause 2. I hope I am right in the interpretation that I put. Does the Honourable Member agree with me?

Dr. B. S. Moonje: Yes, Sir.

Mr. President: Therefore I propose to begin from clause 3, leaving clause 2 to be taken up after the other clauses have been disposed of.

The question is:

"That clause 3 do stand part of the Bill."

(At this stage Pandit Thakur Das Bhargava rose in his place.)

Does the Honourable Member wish to move an amendment? Is there any amendment to clause 3?

Pandit Thakur Das Bhargava (Ambala Division: Non-Muhammadan): The amendment is to clause 4.

Mr. President: There is no amendment to clause 3.

The question is:

"That clause 3 do stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Mr. President: The question is:

"That clause 4 do stand part of the Bill."

(At this stage Dr. B. S. Moonje rose in his place.)

Mr. President: Pandit Thakur Das Bhargava's amendment comes first in order. Pandit Bhargava.

Pandit Thakur Das Bhargava: Sir, I move:

"That in clause 4 (c) of the Bill, in the proposed sub-section (2), for the words 'for any town or group of towns' the words 'for any area or areas consisting of towns, group of towns, villages and group of villages' be substituted."

I beg of you to kindly allow me, Sir, ...

Mr. President: The Chair proposes to sit till five minutes to five. If

Honourable Members wish to finish this Bill before that time, they should be very short in their speeches.

Pandit Thakur Das Bhargava: With your permission, Sir, I wish to move the second amendment also along with the first, because both form part of the same proposition which I beg to submit to the House.

Mr. President: The Honourable Member cannot move two amendments at the same time.

Pandit Thakur Das Bhargava: In regard to this amendment, I would submit to the House that the provision in the Bill as contained in clause 4(2) involves a distinction of a very mischievous nature. We have just heard that the original purpose of the Resolution adopted by the Legislative Assembly was to remove all kinds of racial distinctions between the Territorial Force and the Auxiliary Force. Instead of removing those distinctions, the Committee has recommended that another kind of distinction be brought forward to justify the original distinction, and the proposal now before the House is that distinctions may now be made in the Territorial Force itself and that it be divided into urban and rural units. This distinction does not end here but it goes further and a new kind of distinction is sought to be imposed by a distinction between the educated classes of large towns and the educated classes of small towns and villages. In the Statement of Objects and Reasons to this Bill it will be found that the idea is that the urban unit should be recruited only from the educated classes of large towns. We find on page 27 of the Report of the Auxiliary and Territorial Forces Committee that a recommendation has been made that the country be divided into rural areas and urban areas. Sir, I come from a constituency which is both urban and rural, but for the purposes of recruitment to the urban corps I am afraid neither constituency will be able to send any man because in the Punjab there are no large towns. What is a town, has not been defined anywhere in this Bill. I understand that any place which is the headquarters of a district will be included in the word "town", but this is only a pious wish. The definition of the word "town" may be conditioned to its population and it may be that no recruitment should take place from towns which have a population of less than 50,000 or one lakh of men. It would follow that, barring two or three large centres of population in the Punjab, the whole province will not be able to send any man so far as the urban corps is concerned. The distinction between the urban corps and the rural corps is now so great as regards liability for service, conditions of service and training, etc., that many educated people living in towns and villages and enjoying a good social position would rather like that they may be taken in the urban corps. Now, Sir, I am one of those who do not like these distinctions based upon race or any other such considerations as are not of such a general and universal character that they can be justified. I understand that this institution of the urban corps is in the nature of a bait to this House so that the distinctions between the Auxiliary and Territorial Forces may be perpetuated and justified. I can understand that there is a difference in education, there is a difference in social position, there is a difference in habits, there is a difference in the mode of living so far as an ordinary peasant and an educated man is concerned, but I fail to see how a graduate living in Lahore is different from a graduate living in Ambala or Hissar. I fail to see how a rich man living in any of these large towns is different

from a rich man living in a small village or in a small town. All these distinctions, Sir, which we are out to remove are being perpetuated in some shape or other and I fear there will be a great heart-burning over these distinctions.

Now, in the Punjab for some time political strife has been raging round these questions and the urban and the rural interests have been so bifurcated by the Government that it looks as if there is a natural difference in regard to those interests and thereby great uneasiness has been caused. Are those distinctions which we are out to remove going to be perpetuated by this distinction again, which is unjustifiable in principle? If the urban corps is to come into existence, if there is any reason for the existence of this urban corps, I would submit for the consideration of the House that the broad points of difference should be the basis and not merely the accident of a person belonging to this place or that place. A distinction of this kind is really unjustifiable to my mind, and I very strongly oppose it on the ground that on a basis like this a distinction is unjustifiable.

The Revd. J. C. Chatterjee: There is no such distinction. A man in a village can also join an urban corps, if he wishes to.

Pandit Thakur Das Bhargava: I am sorry to hear this from my friend. If I read the report aright, if I read the Objects and Reasons of the Bill aright, and if I read the wording of this Bill aright, I think this is a real difference. If the House is of opinion that there is no such difference, I am ready to withdraw my amendment, but I am afraid that such a distinction is there.

Now, I need not submit any other reasons for this amendment. The distinction by itself is so absurd that it cannot be supported on logical grounds, and I beg of the House to agree with me that this distinction be removed, and if any distinction be indispensably necessary it may be made on the basis of educational or property qualifications or any such qualification as is of a general nature.

Mr. G. M. Young: Sir, if my Honourable friend had given earlier notice of his amendment or had come and spoken to me about what was troubling him, I think I could have solved his difficulty for him. He has read this sub-clause as being applicable only to large towns and he has placed an under-limit of half a lakh of population on a "large town". Nothing has been said in the Bill about large towns, and nothing has been said about the size of their populations. What is said is that :

"The Governor General in Council may constitute for any town or group of towns in a Province one or more urban corps or units of the Indian Territorial Force, to be recruited from persons residing in or near such town or towns, etc."

The Governor General has complete discretion to decide what is a town or group of towns, and I have no doubt that if the question ever came before a judicial authority, there would be no difficulty in obtaining a liberal interpretation of the word "near". There is nothing to prevent any educated person living in the country from joining an urban corps if he wants to. There is no intention of keeping members of the educated or professional classes, who do not live in towns, out of urban units. I trust therefore that my Honourable friend will withdraw his amendment.

Mr. President: The question is :

"That in clause 4 (c) of the Bill, in the proposed sub-section (2), for the words 'for any town or group of towns' the words 'for any area or areas consisting of towns, groups of towns, villages and groups of villages' be substituted."

The motion was negatived.

Dr. B. S. Moonje: Sir, I move :

"That in clause 4 (c) of the Bill, in the proposed sub-section (2), for the words 'to be recruited from persons' the words 'who have attained the age of sixteen years' be inserted."

This does not require much speaking on from me to press it upon the attention of the House. The same thing is provided for in the Act itself in the case of the Auxiliary Force and I simply want to have it provided also in the Territorial Force Act. Section 5 of the Auxiliary Force Act says :

"Any person may be eligible for enrolment under this Act who has attained the age of sixteen years and is not a member, etc."

In that way I also want in the Territorial Force Act that an Indian who has attained the age of sixteen may be eligible for enrolment. I need not say anything more and I commend my amendment to the House.

Mr. G. M. Young: Sir, the object of this amendment is met by a proposal in the Report of the Select Committee, that provision should be made in the rules to allow youths between the ages of sixteen and eighteen to join urban units of the Indian Territorial Force exactly as youths of that age are allowed at present to join the Auxiliary Force. No provision relating to age is included in the Territorial Force Act as it stands at present. I admit that provisions as to age are included in the Auxiliary Force Act. The fact is that that Act was inherited from legislation which had been in force for a very long time. When Government passed the Indian Territorial Force Act the object was to make it as simple as possible, and to relegate to rules whatever could be so relegated. It would be in my opinion a very awkward insertion in this Act to make a single provision relating to age, when all the other ones are in the rules. There is no question of this provision not coming into force. Government have agreed to bring it into force, but they prefer to do so in the appropriate manner, namely, in the rules.

Dr. B. S. Moonje: Sir, in view of the explanation that has been given that the Government is prepared to provide for this in the rules I withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Dr. B. S. Moonje: Sir, I beg your pardon for a little misdrafting in my next amendment which runs as follows :

"That in clause 4 (c) of the Bill, to the proposed sub-section (2) the following proviso be added :

"Provided that no person so recruited shall be liable to perform military service until he has attained the age of eighteen years."

I should like to have in its place a better draft that has been supplied to me. Instead of this amendment being made here the amendment might be made in clause 9 of the Bill.

Mr. President: The Honourable Member does not want to move it?

Dr. B. S. Moonje: Not now

Mr. L. Graham: He asks leave to move an alternative later on
Clauses 4, 5, 6, 7, and 8 were added to the Bill.

Dr. B. S. Moonje: Sir, I move:

"That for clause 9 of the Bill the following clause be substituted, namely:

'9. In sub-section 2 of section 9 of the said Act, after the word 'enrolled' the words 'who has attained the age of eighteen' shall be inserted'."

My idea is that Indians of the age of sixteen may be enrolled but they should not be liable for service until they have attained the age of eighteen. I need not say anything more than this.

Mr. President: The amendment I have got in my hand includes a proviso:

"and (b) the following proviso shall be added."

Dr. B. S. Moonje: In place of that this provision is to be made.

Mr. President: The Honourable Member moves only part (a) of the amendment in his hand and not part (b)?

Dr. B. S. Moonje: I am reading it out Sir. Part (b) is:

"That the following proviso be added:

'Provided that nothing in this sub-section shall apply to persons enrolled in any University Corps; and

'Provided further that such service shall not be required to be performed beyond the limits of India'."

Mr. President: The further proviso should be moved separately. I understand the amendment which has just been read out by the Honourable Member with one proviso is agreed to by the Army Secretary and there will be no difficulty in putting it through. If he includes in this his second proviso, the whole amendment would be in danger.

Dr. B. S. Moonje: I would insist upon this amendment, Sir. But I would like to know on the first amendment whether the Government accepts it

Mr. L. Graham: Only the first part?

Dr. B. S. Moonje: Yes.

Mr. G. M. Young: Yes; the Government accepts the amendment.

Mr. President: The question is:

"That for clause 9 of the Bill, the following clause be substituted, namely:

'9. In sub-section (2) of section 9 of the said Act:

(a) after the word 'enrolled' the words 'who has attained the age of eighteen years' shall be inserted; and

(b) the following proviso shall be added, namely:

'Provided that nothing in this sub-section shall apply to person enrolled in a University Corps'."

The motion was adopted.

Dr. B. S. Moonje: Sir, I move

"That to clause 9 of the Bill for the word 'proviso' the word 'provisos' be substituted and the following further proviso be added to sub-section (2) of section 9 of the said Act :

'And provided, further, that such service shall not be required to be performed beyond the limits of India save at his own request'."

I have already dealt with it in detail. This is one of the ways by which I want to remove the racial distinction that exists between the Auxiliary and Territorial Forces. If the Government is not prepared to extend the liability of the Auxiliary Force in order to make it identical with that of the Territorial Force. I am therefore proposing that the liability of the Territorial Force may be restricted, so that the liability may be identical in case of both the Forces, the Territorial and the Auxiliary Forces. I need not say anything more.

Mr. G. M. Young: Sir, I am afraid Government are unable to accept this amendment. It does not, as my Honourable friend Dr. Moonje appears to think, abolish in any way such distinction as already exists. The fact remains that the Auxiliary Force have a different liability from the provincial battalions of the Indian Territorial Force. I tried to explain when I was speaking on the motion to take this Bill into consideration that this distinction was not a racial one; it was not a theoretical one; it was a purely practical one, because the nature of the avocations of members of the Auxiliary Force, like those of the urban units of the Territorial Force, requires a limited liability; and the nature of the avocations of members of the Indian Territorial Force (provincial battalions) requires, one may say, an extended liability. Otherwise the battalions will not fulfil the function which they are designed to fulfil. My Honourable friend, Dr. Moonje, now proposes a very slight reduction in the liability of the provincial battalions. It would still remain the case that the liability for those battalions is different from the liability of the Auxiliary Force. In practice I do not suppose this amendment would really come to anything, because the question of Indian Territorial Force battalions serving beyond the frontiers of India would not arise in a war until the war had reached a very advanced stage, when it might be necessary to adopt more compulsory measures. But there will be a sentimental effect in this amendment, not of removing a racial distinction, but creating a distinction, which we do not want to exist, between the regular army and the Indian Territorial Force. It is definitely implying that the battalions of the Indian Territorial Force are not and never can be quite up to the level of the regular battalions however much training you give them. That is what it really means that we are not to use our provincial battalions of the Indian Territorial Force up to the hilt; and I think that, if, as I suppose, my Honourable friend's object is a sentimental one, he should consider the argument that I have put before him. It would be creating really a more invidious distinction to adopt his amendment than to leave the law as it stands.

Mr. President: The question is:

"That in clause 9 of the Bill, for the word 'proviso' the word 'provisos' be substituted and the following further proviso be added to sub-section (2) of section 9 :

'And provided, further, that such service shall not be required to be performed beyond the limits of India, save at his own request' "

The Assembly divided:

AYES—38.

Abdul Matin Chaudhury, Maulvi.
Aney, Mr. M. S.
Bhargava, Pandit Thakur Das.
Chetty, Mr. R. K. Shanmukham.
Chunder, Mr. Nirmal Chunder.
Das, Mr. B.
Das, Pandit N. Iakantha
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Jayakar, Mr. M. R.
Jogiah, Mr. Varahagiri Venkata
Joshi, Mr. N. M.
Ke'kar, Mr. N. C.
Kidwai, Mr. Rafi Ahmad.
Kunzru, Pandit Hirday Nath.
Lajpat Rai, Lala.

Malaviya, Pandit Madan Mohan.
Mitra, Mr. Satyendra Chandra.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Rao, Mr. G. Sarvotham.
Sarda, Rai Sahib Harbilas.
Sarfaraz Hussain Khan. Khan
Bahadur.
Shafee, Maulvi Mohammad.
Singh, Kumar Rananjaya.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Sinha, Kumar Ganganand.
Sinha, Mr. Siddheswar.
Yusuf Imam, Mr.

NOES—48.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Ahmad, Khan Bahadur Nasir-ud-din.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Sayid.
Ayangar, Mr. V. K. Aravamudha.
Bajpai, Mr. G. S.
Blackett, The Honourable Sir Basil.
Bray, Sir Denys.
Chatterjee, The Revd. J. C.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Cosgrave, Mr. W. A.
Couper, Mr. T.
Courtenay, Mr. R. H.
Crawford, Colonel J. D.
Crerar, The Honourable Mr. J.
Ghuznavi, Mr. A. H.
Graham, Mr. L.
Irwin, Mr. C. J.
Ismail Khan, Mr.
Jowahir Singh, Sardar Bahadur
Sardar.

Keane, Mr. M.
Lamb, Mr. W. S.
Lindsay, Sir Darcy.
Mitra, The Honourable Sir Bhupendra
Nath.
Mohammad Ismail Khan, Haji
Chaudhury.
Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Rai, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Roy, Mr. K. C.
Roy, Mr. S. N.
Sams, Mr. H. A.
Sassoon, Sir Victor.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Taylor, Mr. E. Gawan.
Willson, Sir Walter.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.

The motion was negatived.

Clause 9, as amended, was added to the Bill.

Clauses 10, 11 and 12 were added to the Bill.

Mr. President: The question is:

"That clause 13 do stand part of the Bill."

Dr. B. S. Moonje: I beg to move

"That in clause 13 of the Bill, after sub-section (1) of the proposed section 12 the following new sub-section be inserted :

'The Governor General in Council shall constitute a Central Advisory Committee to advise him on matters connected with the Indian Territorial Force generally'.

Sub-section (2) be re-numbered as (3)."

It is very important that all matters concerning the Indian Territorial Force should be considered by an Advisory Committee, instead of leaving them entirely to the discretion of His Excellency the Viceroy. I submit that it should be made a statutory condition that an Advisory Committee shall be appointed.

Mr. G. M. Young: I have already said in my opening speech that the Government have decided to appoint by executive order a Committee of this character. But if my Honourable friend wishes to press his amendment, Government will have no objection to provision being made in the Statute for the purpose. I am therefore ready to accept the amendment of my Honourable friend, on behalf of Government.

Mr. President: The question is :

"That in clause 13 of the Bill, after sub-section (1) of the proposed section 12 the following new sub-section be inserted :

'The Governor General in Council shall constitute a Central Advisory Committee to advise him on matters connected with the Indian Territorial Force generally'.

Sub-section (2) be re-numbered as (3)."

The motion was adopted.

Clause 13, as amended, was added to the Bill.

Clause 14 was added to the Bill.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill

Mr. G. M. Young: Sir, in moving that the Bill, as amended, be passed, I wish to touch on two points raised by my Honourable friend, Pandit Hirday Nath, to which he expected an answer. Both refer to the University Training Corps. He wanted to know in the first place whether the limit, which is at present about 20,000, placed on the Indian Territorial Force, was going in future to include the University Training Corps. The Committee recommended that the strength of the University Training Corps should be independent of this number, and that recommendation is one of the many accepted by Government. The second question that he asked me was whether in the University Training Corps we would have two types of commissions, commissions with British designation of rank, and commissions with Indian designation of rank, as in the other parts of the Indian Territorial Force. The answer to that question is "No." We shall only have one type. The commissioned officers will have British designation of rank, and the non-commissioned officers and men will be called cadet Sergeants and so on. Those I think are the only questions that he asked.

Pandit Hirday Nath Kunzru: What about the training to be provided for the men in the urban units?

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

Mr. President: Before I adjourn the House, I should like to draw the attention of the Leader of the House to the fact that if motions regarding the appointment of Committees are not made to-day there will be no elections for those Committees in this Session. I do not know whether he would like to avail himself of this opportunity to make those motions.

The Honourable Sir Basil Blackett (Finance Member): In the circumstances to which you have kindly drawn my attention, I should be glad if the opportunity could be given to me, before the House adjourns this evening, to take the two motions standing in my name and the two standing in the name of Sir George Rainy. I should like with your permission to move the first.

ELECTION OF THE STANDING FINANCE COMMITTEE.

The Honourable Sir Basil Blackett (Finance Member): I move:

"That this Assembly do proceed to the election for the financial year 1928-29, in such methods as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number to which shall be added a member of the Assembly to be nominated by the Governor General. The member so nominated shall be the Chairman of the Committee."

The motion was adopted.

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

The Honourable Sir George Rainy (Member for Commerce and Railways): I move:

"That this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, eleven members from the Assembly who shall be required to serve on the Standing Finance Committee for Railways, as provided for in clause 6 of the Resolution adopted by the Legislative Assembly on the 20th September, 1924, on the subject of the separation of Railway Finance."

The motion was adopted.

ELECTION OF THE PANEL FOR THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

The Honourable Sir George Rainy (Member for Commerce and Railways): I move:

"That this Assembly do proceed to elect in such manner as may be approved by the Honourable the President, a panel consisting of eight members from which six shall be selected to serve on the Central Advisory Council for Railways, as provided for in clause 6 of the Resolution adopted by the Legislative Assembly on the 20th September, 1924, on the subject of the separation of Railway Finance."

The motion was adopted.

ELECTION OF THE PUBLIC ACCOUNTS COMMITTEE.

The Honourable Sir Basil Blackett (Finance Member): I move:
"That the non-official Members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, four members to be members of the Committee on Public Accounts in place of the four members who have retired in accordance with sub-rule (4) of the same rule."

The motion was adopted.

Mr. President: I may inform the Assembly that for the purpose of election of members to the four Committees in regard to which motions have just been carried by the House, the Assembly office will be open to receive nominations up to 12 Noon on Friday, the 23rd March. The election for the Standing Finance Committee and the Committee on Public Accounts, if necessary, will take place in this Chamber on Monday, the 26th March, and the election for the Standing Finance Committee for Railways and the Central Advisory Council for Railways will take place on Tuesday, the 27th March. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE AUXILIARY FORCE (AMENDMENT) BILL.

Mr. G. M. Young (Army Secretary): I move that the Bill further to amend the Auxiliary Force Act, 1920, for certain purposes, as passed by the Council of State and as reported by the Select Committee, be taken into consideration.

There is very little indeed to be said about this Bill. The only clause requiring comment is clause 2 which deletes clause (d) of section 4 of the Act. The Act as it stands permits the enrolment of Europeans other than British subjects in units of the Auxiliary Force. There are very few of those persons at present serving in the Auxiliary Force and there are not likely to be many more in future, but the Select Committee felt that as a matter of principle it would be right to bring this state of affairs to an end and that in future no one other than a British subject should be eligible for enrolment in the Auxiliary Force. I do not think, Sir, that there is anything else in the Bill that requires mention.

Sir, I move.

Mr. President: The question is:

"That the Bill further to amend the Auxiliary Force Act, 1920, for certain purposes, as passed by the Council of State and as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Mr. G. M. Young: Sir, I move that the Bill, as amended, be passed.

Mr. President: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 22nd March, 1928.

LEGISLATIVE ASSEMBLY.

Thursday, 22nd March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

THE HINDU CHILD MARRIAGE BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, I beg to present the Report of the Select Committee on the Bill to regulate marriages of children amongst the Hindus.

THE INDIAN SUCCESSION (AMENDMENT) BILL.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadar Rural): Sir, I beg to move that the Bill further to amend the Indian Succession Act, 1925, as reported by the Select Committee, be taken into consideration.

Sir, in making this motion I think I need not take the time of this House by making any speech. As I stated in the Statement of Objects and Reasons while introducing this Bill, there was a serious conflict of opinion between different High Courts as to whether a certificate can be applied for and granted in respect of a portion of debts. The Allahabad High Court held that this cannot be done, while the Calcutta High Court held the contrary and a more equitable view, and the object of my Bill is to remove the difficulty created by the Allahabad view. The Calcutta view seems more reasonable, and this Bill is meant to give effect to that view. When this Bill was circulated for eliciting opinion, even the Allahabad High Court agreed to the amendment which I proposed. Nearly all the High Courts and judicial bodies were in favour of my Bill. Objection was taken to the last clause of the Bill which ran as follows:

“But nothing herein contained shall be deemed to allow separate and successive applications being made in respect of portions of the same estate whether by the same or different members.”

The Select Committee deleted this clause, and the Bill now as it stands is in conformity with the opinion of all the High Courts and public bodies, and I hope that the House will pass the Bill as it now emerges from the Select Committee.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Maulvi Muhammad Yakub: Sir, I move that the Bill, as amended, be passed.

The motion was adopted.

THE RESERVATION OF THE COASTAL TRAFFIC OF INDIA BILL.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhamadan Rural): Sir, I beg to move that the Bill to reserve the Coastal Traffic of India to Indian Vessels, be circulated for the purpose of eliciting opinions thereon.

In making this motion, Sir, I beg to draw the attention of the House to the fact that this Bill serves to secure to India the benefits of that inherent right to regulate and reserve her coastal traffic, which has been vouchsafed to her by nature, and guaranteed to her by international law. As you are doubtless aware, Sir, maritime legislation in European countries has been bound up with the growth and development of international law. It is not my purpose at the moment to go into the details of the early laws of maritime towns and countries in Europe, such as the laws of Oléron and Barcelona, of Wisby in Sweden and of Amalfi in Italy, to say nothing of that codification of maritime custom and usage, which was effected by the Rhodian Laws of the eighth and ninth centuries. I would say that as a result of these legislative enactments and codification of maritime systems, by the time international law became a matter of practical politics in Europe, certain definite conclusions were arrived at with reference to maritime legislation. That is why we find that maritime law has played a definite part in international law, and international law is concerned with maritime legislation. It is therefore natural that the right to reserve the coastal trade of a country should be one which has a long history behind it, but, Sir, as I said before, it is not my intention to go into the details of that history. For my present purpose I merely content myself with quoting a definition of coastal trade which we might regard as being the crystallised expression of the former maritime usage and legislation, so far as this subject is concerned. The definition of coastal trade as given in Oppenheim's "International Law" runs as follows:

"The term *cabotage* or coasting trade as used in commercial treaties comprises now sea trade between any two ports of the same country, whether on the same coasts or different coasts, provided always that the different coasts are all of them the coasts of one and the same country as a political and geographical unit in contradistinction to the coasts of colonial dependencies of such country."

This being the case, Sir, the country of India, as a political and geographical unit, has as much right to reserve her coastal trade and to regulate it in the interests of her own nationals as is allowed to various countries by international law not only to reserve the coastal trade but even to prevent foreigners from fishing in their territorial waters. That is why it has been laid down that a State may, in the absence of a special treaty to the contrary, exclude foreign vessels from navigation along the coast and reserve this coast exclusively for its own nationals. That much with regard to the international aspects of this subject.

Turning to the national phase of the question, I hope I have said enough to show that in making this motion I seek to get for India no more than the benefits of legislation which she has a complete right to undertake and which I hope at a later stage will be accepted by this Honourable House.

This right of coasting legislation is so much a matter of the country's own affair that even within the British Empire it has been found necessary to recognise this right of a country even though it may happen to be a dependency or a dominion of the Crown. That is how it happens, Sir, that the British Merchant Shipping Act which so to speak is the fountain head of all maritime legislation within the British Empire has permitted every component part of the Empire to undertake any legislation it chooses with regard to its own coastal trade. This right of the subordinate legislature has not merely been recognized by Great Britain but has also been put into practice by Australia and has been confirmed by the Imperial Navigation Conference of 1907. When the subject of developing the Australian mercantile marine was being discussed in the early years of this century the whole subject of legislation within the Empire on this matter was gone into and with a view to settle the issues raised, an Imperial Conference specifically intended to deal with the navigation problem was convened in 1907 when it recommended among other things that the coastal trade of the Commonwealth be reserved for ships on the Australian register, that is, ships conforming to Australian conditions and licensed to trade on the Australian coast. This gives to a component part of the Empire a right to exclude under certain conditions ships of other parts of the Empire and it is a right which Australia has made full use of as those that are conversant with the history of Australian Navigation Acts well known. When discussing this point in course of a review of the subject to be found in the Report of the Royal Commission on the Navigation Act published by the Parliament of the Commonwealth of Australia in 1923-24, it is stated that to build up an Australian mercantile marine it was necessary to extend the protective policy of Australia to its merchant shipping, and this protection was accorded by introducing the system of licenses which in practice prevented non-Australian vessels from entering into the coastal trade of that country. It is further stated therein that:

"the [English] Parliament recognise that as an Island Continent we are largely dependent upon the strength of our merchant services for our existence. The Australian coastal trade was to be reserved for Australian owned ships, which were to be the source of a supply of skilled and trained Australian seamen in time of war, even as the British Mercantile Marine, during the recent war, helped to man the auxiliary cruisers, mine-sweepers, transports and other adjuncts of the British Navy."

These two grounds are, among others, precisely the reasons why I suggest that the development of an Indian mercantile marine should be brought about by a policy of reservation such as has been adopted in Australia and as has been recommended, as I will presently show, by the Mercantile Marine Committee, appointed by the Government of India.

Mr. President: Order, order. I fail to understand what the Honourable Member is aiming at. His motion is a motion to circulate the Bill for the purpose of eliciting opinions on it. If this motion is accepted, it does not commit any Member to the principle of the Bill. If the Honourable Member wishes to go into the principle of the Bill at length, the second reading is the stage when he should do so.

Mr. Sarabhai Nemchand Haji: Thank you, Sir. I was quite aware that it was not necessary for me to go into the principle of this Bill.

Mr. President: It is not relevant.

Mr. Sarabhai Nemchand Haji: But I thought that as the Bill was being circulated for opinion it would be as well to put before this House a little

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of the history of that coastal legislation and similar legislative enactments in other countries which might help to allay the fears of some Honourable gentlemen that the Bill has such aspects that it should not be allowed even to go for circulation. All that I was concerned with, Sir, is this. Of course, if the principle has been discussed it has been only as a side issue. As I said I am concerned with the history of the subject, and, as you suggest, Sir, I propose to make my remarks on this subject as short as possible. But I hope you will allow me the indulgence of referring to the early history of this particular legislation and the suggestions made in that regard. That, Sir, has reference—and I will now come to India—that, Sir, has reference to the legislation on the subject so far as this Honourable House and this country are concerned. As you are aware, Sir, attempts were made to introduce this Bill in the second Legislative Assembly, and when the subject was brought up by my Honourable friend Mr. Neogy it was found necessary—probably at the instigation of the vested foreign interest—to examine the character of this Bill as to whether it was *intra vires* of the Indian Central Legislature or not. I have shown from history that it is, and the historical argument must have appealed to the Law officers of the Crown in England who, when the case was referred to them, decided that this Bill was wholly within the competence of the Indian Legislature even as it exists to-day. That being the case, Sir, it has been possible for us to discuss this subject on the floor of this House.

As the Bill I propose to circulate has got support from the recommendations of the Mercantile Marine Committee, I trust you will allow me to refer to that Committee for a minute or two. The Indian Mercantile Marine Committee was appointed by the Government of India to consider what measures can usefully be taken for the encouragement of ship building and the growth of an Indian mercantile marine by a system of bounties, subsidies and such other measures as have been adopted in Japan. This is one of the clauses of many that formed part of the terms of reference. It is not necessary for my purpose to read out others to the House. In order to suggest ways and means of developing an Indian mercantile marine this Committee, after having examined the whole subject thoroughly, came to the conclusion that something more was required beyond the provision of training vessels and that that something more was provided by their recommendation that the Indian coasting trade should be reserved for ships the ownership and controlling interest in which are predominantly Indian. If I may, Sir, I will just read out the specific recommendation that has been made by the Committee. Referring to the Government of India, they say:

“The Honourable Member for Commerce stated in the Legislative Assembly on behalf of the Government that this desire on the part of the people, that is, the people of India, for their own mercantile marine was a very natural desire. Recognising this natural desire, we (that is, the Committee) are of opinion that this should be met within a reasonable period of time and not in the distant future. This being so, it is our considered opinion that the provision of facilities for the training of Indian officers and engineers alone is not sufficient to meet the requirements of the case and that some further steps are required to achieve the object in view. These further steps, we recommend, should be in the form of the eventual reservation of the Indian coasting trade for ships, the ownership and controlling interests in which are predominantly Indian.”

This, Sir, is exactly what I seek to do by this Bill of mine, under which it is laid down that no common carrier by water shall engage in the coasting trade in India unless licensed to do so. This system of licenses is one

which has been recognised and recommended by the Mercantile Marine Committee. Not only that, but it is a system which is in vogue in Australia and in Canada. It is a system which I am sure will be found necessary if all that maritime legislation which the Commerce Department is undertaking at the moment is to be effectively put into operation. The system of licenses is to my mind very essential if, even apart from the question of reservation, the Indian mercantile marine is to be regulated in a proper manner.

With regard to the period during which this policy of reservation is to be consummated, bearing in mind the recommendations of the Committee, it has been laid down in the Bill that—

“A proportion of not less than 20 per cent. of the tonnage licensed for the first year, not less than 40 per cent. of the tonnage licensed for the second year, not less than 60 per cent. of the tonnage licensed for the third year, not less than 80 per cent. of the tonnage licensed for the fourth year, and all the tonnage licensed for the fifth and subsequent years shall have the controlling interest therein vested in British Indian subjects.”

Sir, in order that this Bill of mine may not come into conflict with the requirements of the British Merchant Shipping Act, to which I have already alluded, I have provided that the controlling interest within the purview of this Bill should have the following meaning:

“(a) that the title to not less than 75 per cent. of the stock is vested in British Indian subjects free from any trust or fiduciary obligation in favour of any person other than a British Indian subject,

(b) and that in the case of a joint stock company, corporation or association, the Chairman of the Board of Directors and not less than 75 per cent. of the number of members of the managing firm of and of the Directors of the Board are British Indian subjects,

(c) and that not less than 75 per cent. of the voting power is vested in British Indian subjects,

(d) and that through any contract or understanding it is not arranged that more than 25 per cent. of voting power may be exercised, directly or indirectly, on behalf of any person who is not a British Indian subject,

(e) and, finally, that by any other means whatsoever control of any interest in excess of 25 per cent. is not conferred upon or permitted to be exercised by any person who is not a British Indian subject.”

I hope, Sir, that these few details will enable this House to get an idea of the scope of the Bill and the method which it proposes to pursue in order to completely reserve the coastal trade of India for Indian vessels within five years of the placing of this Bill on the Statute-book.

I need not say anything more in regard to this Bill, Sir, except to add that the Bill will provide not only for the development of an Indian mercantile marine in the interests of India as an economic unit, by saving to India the large sums of money that are annually taken out of the country in shipping earnings, and by providing for Indian youths nautical careers which under the existing circumstances have been denied to them, but also in the interests of India as a political unit by providing a second line of naval defence for this country which is particularly necessary now that we are trying to reorganise the Royal Indian Marine with a view to make it a proper combatant navy. Lastly, I would draw the attention of the House to the fact that an India with a developed Indian mercantile marine and the economical prosperity which that development would bring about, would be a more effective component part of the British Empire and be

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better in a position to help the Empire in case of need than an India which has not got this requisite necessity of economic life so essential to make India economically self-sufficient.

Sir, I beg to move the motion standing in my name.

The Honourable Sir George Rainy (Commerce Member): It will not be necessary, Sir, I think that I should speak at any length on this motion. What I desire to do is to explain the attitude of the Government of India as regards the proposal made by my Honourable friend, Mr. Haji, that the Bill should be circulated for the purpose of eliciting opinions. The Government of India do not propose to resist this motion. They regard the matter as an important one, and it will do no harm if public opinion is fully elicited with regard to it. That perhaps is the more necessary because the Mercantile Marine Committee did not examine in detail one important aspect of the case. What they said in effect was this: if the end in view is to promote the development of India's mercantile marine, an effective means of doing it is to reserve the coastal trade. But they did not go on to consider—indeed they believed it to be impossible to do so on the data in their possession—whether that proposal was likely to be beneficial to the country. What they said was this:

"We do not consider that it is possible to say at this stage whether the reservation of the Indian coasting trade for shipping companies which are predominantly Indian in character is likely to be beneficial for India or not, for the simple reason that there are no data at present on which a satisfactory conclusion can be based."

It certainly seems desirable before this proposal goes any further that that side of the case should be fully examined, because quite clearly an important measure of this kind ought not to be brought into effect until the probable effects on the trade and commerce of the country, and on the industries of the country have been fully examined. The subject is one, Mr. President, which was fully discussed by my predecessor, Sir Charles Innes, in a speech which he delivered in this House on the 19th March, 1926. On that occasion, he did endeavour to examine the question to what extent this scheme for reserving the coastal trade was likely to benefit or to injure Indian interests. I have not the least intention of going over the same ground again. But I am anxious to make it clear that while Government do not oppose the motion for circulation, they do regard the objections raised by Sir Charles Innes on that occasion as very serious and very important, and unless a further examination of the subject should show that they were not well founded, these objections would I think be regarded by them as very nearly conclusive against the scheme. It is right, Sir, that I should make the attitude of Government perfectly clear. While we do not oppose the motion for circulation, that does not for a moment mean that we accept the scheme.

There is another aspect of the case to which I should like to invite the attention of the House. My friend Mr. Sarabhai Haji pointed out quite correctly that there is nothing in the international law, or I think in international usage, to prevent a particular country from reserving its coastal trade for its own nationals. But I should like to draw the attention of the House to clause 2(4) of the Bill which says:

"The coasting trade of India means the carriage by water of goods or passengers between any ports in British India, or between any port in British India and any part or place on the Continent of India."

The Bill, therefore, purports to regulate not only the trade between two ports in British India like Calcutta and Bombay but also between certain ports which are outside British India, as for example between Pondicherry and Madras or between Marmagao and Bombay. I think I ought to draw the attention of the House to the fact that if this Bill were passed into law in its present form, it would involve a breach of international agreements to which India is a party, and in particular to the convention and statute on the international regime of maritime ports which was concluded in 1923 and to which India is a signatory. The relevant article reads as follows:

"Subject to the principle of reciprocity and to the reservation set out in the first paragraph of Article 8, every Contracting State undertakes to grant the vessels of every other Contracting State equality of treatment with its own vessels, or those of any other State whatsoever, in the maritime ports situated under its sovereignty or authority, as regards freedom of access to the port, the use of the port, and the full enjoyment of the benefits as regards navigation and commercial operations which it affords to vessels, their cargoes and passengers.

The equality of treatment thus established shall cover facilities of all kinds, such as allocation of berths, loading and unloading facilities, as well as dues and charges of all kinds levied in the name or for the account of the Government, public authorities, concessionaries or undertakings of any kind."

Mr. Sarabhai Nemchand Haji: May I draw the attention of the Honourable the Commerce Member to the fact that the countries which have reserved the coastal trade and were present at this Conference definitely drew the attention of the Conference to the fact that this particular clause was not to have any reference to their right to continue their reservation of the coastal trade?

The Honourable Sir George Rainy: I entirely agree with what my friend Mr. Haji has said about the right to reserve the coastal trade, meaning by that the trade between two ports both situated in the same country is not barred by this clause, but my point is that it would quite definitely bar the regulation under that reservation of trade between a port like Madras which is in British India and Pondicherry which is outside British India, and similarly between a port like Bombay which is within British India and Marmagao which is outside British India

Mr. Sarabhai Nemchand Haji: May I point out, Sir, that both Marmagao and Pondicherry have practically no coasting trade?

The Honourable Sir George Rainy: I do not see, Sir, that has any relevance to the point I was endeavouring to bring out. My point is really this, that without a breach of our international agreements it does not seem to me that the Bill could be passed into law in its present form. It could be passed into law without any such breach if the coasting trade were defined merely as the carriage by water of goods or passengers between any two ports in British India. But then the point would have to be examined how far the reservation of the coasting trade would be effective for the purposes for which it is intended, if it is not possible to legislate so as to include these ports on the continent of India which are outside British India. It is quite possible that the result might be, for instance, to transfer a good deal of the entrepôt trade of Bombay to a port like Marmagao, and the reason why I have alluded to the point is this, that I hope, when the Bill is circulated, Local Governments and others interested will consider this question very closely, and let us have their opinions as

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to whether, if the Bill has to be limited in this way, it is likely to produce the effect which those who support it hope that it will have.

Finally, Sir, there is one aspect of the case which, I think, all Members of the House and also all those who are interested in the welfare of India will have to consider in connection with this Bill. What is proposed is, in a purely economic matter, to discriminate on racial or, if you will, on national grounds. Now, that is a matter in which India is very deeply interested in other parts of the British Empire. What every Member of this House will have to consider, if the Bill comes before it again at a later stage, is this, whether it is wise and in the interests of India that we should establish a precedent of that kind having regard to the reactions which it might have elsewhere. I will say no more than that, Sir. I put it for the present purely as a question.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-official): Sir, this Bill states its purpose as the "reservation" of the coasting trade. If it were fully frank, it might state its purpose as the confiscation or expropriation of the trade out of certain hands in which it lies principally at present, into other hands specially and directly represented in this Assembly! It extends to the whole of the coastal traffic of India, but it appears to me that the framers of the Bill do not really know or appreciate, or do not wish this House to know or appreciate, some of the ramifications of the said coasting trade.

Now, Sir, the coasting trade includes in its ordinary commercial sense, though possibly not technically, that enormous trade which is carried on between Calcutta and Colombo, which at the present time is carried on in severe competition between coasting steamers and home going steamers, with the result that the rate is considerably lower than goods could ever be carried over that journey by the ordinary coasting steamers.

Mr. Sarabhai Nemchand Haji: Is Colombo an Indian port?

Sir Walter Willson: The Honourable Member need not try to teach me geography. I knew Indian geography probably before he was born.

Mr. Sarabhai Nemchand Haji: You seem to have forgotten it.

Sir Walter Willson: It is precisely because Colombo is under the Government of Ceylon that I mentioned it. Nevertheless it is definitely in the coasting lines carried on by the coasting steamers of India, and if you were to attempt to exclude any portion of that trade, you would very seriously affect the earnings of the ships and put up the cost of carriage.

The coal shipment trade of India would also come under this Bill. It is not primarily the concern of the three or four companies which are at present in the coasting trade. It owes its existence to the tramp steamer, a steamer which puts in an occasional voyage here and there. In the old days that was the way the coal trade was built up. Ships carrying coal between Calcutta and coast ports nearly always have to return in ballast if they return at all. It should be obvious that a ship which does not have to return at all, can carry cheaper than a ship which has to return empty. The general traffic on the coast is principally from East to West. The backward carriage from West to East is very little and is quite inadequate for the purpose of filling ships for the return voyage. A tramp may go to Calcutta for coal and afterwards go on

Mr. President: Order, order. I must say the same thing to the Honourable Member as I said to the Honourable Mover. Is it right to turn this debate into a second reading debate? This does not commit any Member of the House to the principle of the Bill; the motion merely is that the Bill be circulated for the purpose of eliciting opinions thereon.

Sir Walter Willson: Well, Sir, if that be your ruling, I will confine myself to correcting one or two definite statements of the Honourable Member from Bombay. He referred to vested interests. This Bill only sets out to create a different set of vested interests. He also referred to the Mercantile Marine Committee Report and his point was, what steps should be taken to develop an Indian mercantile marine. The terms of reference to the Indian Mercantile Marine Committee were not to inquire into and see whether it was desirable to take steps, but merely to inquire what steps could usefully be taken. Mr. Haji definitely stated that the Mercantile Marine Committee, "after examining the whole subject thoroughly"—Sir, I say they did not examine the point of view of desirability at all.

I am aware, Sir, that it is not, ordinarily speaking, the practice in this House to make any long speech on a proposal for circulation, but I do feel that to allow this Bill to go out as it is without one or two observations might be to let it go out as if with a sort of blessing from the House. What I feel is the principal danger to-day, is not what I am so often hearing in this House, namely, the exploitation of trade by vested interests as they are commonly called but a different kind of exploitation altogether, and that is the exploitation of political feeling, of racial feeling and of patriotic feelings in the country in order to transfer, out of hands which have built up the existing trade from what it was years ago to what it is to-day, to transfer that trade into the hands of another single solitary firm at the expense of the shippers of the country. In the past Indian industries in Bombay and Bengal have been able to build themselves up in ordinary straightforward competition with the established interests of the British. The jute mills of Calcutta are owned by 70 per cent. of Indian shareholders to-day; the cotton mills of Bombay have passed almost entirely into Indian hands, either by purchase or by fair competition, and I deprecate as strongly as I can the attempt which is being made to appropriate existing interests, by means of playing upon popular feeling and using the machinery of this Assembly for the purpose.

Mr. President: Is any further debate necessary on this question? The Government have not opposed the motion and the motion is merely for circulation.

The question is:

"That the Bill to reserve the Coastal Traffic of India to Indian Vessels, be circulated for the purpose of eliciting opinions thereon."

The motion was adopted.

THE SPECIAL MARRIAGE (AMENDMENT) BILL.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I beg to move that the Bill further to amend the Special Marriage Act, 1872, be referred to a Select Committee.

[Sir Hari Singh Gour.]

In moving my motion, Sir, I wish very briefly to recapitulate the facts which have induced me to make this motion. As far back as 1868, that great lawyer and distinguished jurist, Sir Henry Maine, pointed out to the late Imperial Legislative Council that it was the duty of every state to provide a secular law for the marriage of its subjects, and the religious neutrality which the Government of India and indeed all Governments profess is only consistent with providing a secular law of marriage for all subjects residing within that state. That Bill, Sir, was circulated, but afterwards Sir Henry Maine relinquished charge of his high office and his successor thought that the time was not ripe for a general legislation of that kind. And consequently its terms were restricted and it became the Act of 1872, the Special Marriage Act. After that, Sir, various attempts have been made in which you yourself, Sir, took a distinguished part in providing this country with a wider marriage law. In 1921 I was the author of an exactly identical Bill providing for a general civil marriage law for this country. That Bill, Sir, was circulated and opinions were collected from all parts of the country; and I hold in my hand a compilation from which it will be seen how strongly the country was in favour of my Bill. Not only that, but in the Madras Legislative Council a motion was tabled and eventually carried by 54 votes to 23 cordially supporting my Civil Marriage Bill. The language of the motion, supported and passed by the Madras Legislative Council, is as follows:

“That this Council recommends to the Government to convey to the Government of India its approval and hearty support of the Civil Marriage Bill brought in by Dr. H. S. Gour in the Legislative Assembly.”

Honourable Members will find from this paper book that the other Governments were equally in favour of my Bill, and when I moved a motion for reference of that Bill to Select Committee, it was acceded to by this House. But in the Select Committee I found that there was a difference of opinion, and rather than take the chance of wrecking my Bill I restricted its scope to Hindus, Buddhists, Sikhs and Jains, making it however clear that I should lose no time in enlarging its scope so as to reduce the Bill to a pure Civil Marriage Bill. That Bill was passed into law and, as Honourable Members are aware, it is Act XXX of 1923. And from all accounts that Act has been well received and a very large number of marriages have been contracted under its provisions. But since then the opinion in the country has been clamouring for the establishment of a pure civil marriage law in this country and I therefore, Sir, once more ask this House to refer to a Select Committee the Bill which was referred to a Select Committee as far back as 1922.

I may very briefly explain the object of my Bill. As the law at present stands, inter-marriages between Hindus, Buddhists, Sikhs and Jains are possible subject to the provisions of Act XXX of 1923. The Indian Christian Marriage Act further provides that one party to the marriage must be a Christian. Therefore inter-marriages between Christians and non-Christians are equally possible in this country, but there is no machinery of law for the purpose of solemnizing and registering such marriages apart from the Church and the priestly institutions. Indeed, all civilised countries of the world—and when I say so, I have the support of the opinion of a Royal Commission that incidentally went into this question—all civilised countries of the world have their civil marriage law. In

England you have a civil marriage law. In all parts of Europe you have a civil marriage law. I understand, Sir, that in Asiatic countries like Japan and Angora you have a civil marriage law. An Indian is entitled to marry under the civil marriage law but only outside the territorial waters of this country. Let me give you an illustration. Supposing a Hindu wishes to marry a Muhammadan. He cannot marry within British India. But if he were to take a boat and go three miles outside the territorial waters of India, three miles out of the harbour of Bombay or Calcutta, he will immediately become subject to the British law because under the international law a British ship is regarded as a floating island and being thus subject to the British law, he can contract such a marriage. He can contract such a marriage outside the territorial waters of India, in any part of Europe, in England or in America. The disability, therefore, is a purely territorial disability. The marriage contracted outside the territorial waters of India is a good marriage, good for all purposes, at all times and everywhere. As Mr. Ameer Ali in his well known work on Muhammadan Law points out:

"A marriage between a Moslem and non-Moslem celebrated in a foreign country is valid under the Mahomedan Law, if it is performed in accordance with the requirements of the *lex loci contractus* or the rites of the communion to which the wife belongs."

Maulvi Muhammad Yakub: Page?

Sir Hari Singh Gour: Page 187, Vol. II. So that the position is this. Indians are entitled to-day to contract a civil marriage outside India. The disability from which they suffer is a purely territorial disability. A Hindu can marry a Muhammadan and a Muhammadan can validly marry a Hindu. Let me quote to you, Sir, the same high authority on the subject. At page 187 Mr. Ameer Ali says:

"But it is a mistake to suppose that under the Mussalman Law, a Moslem may marry a woman belonging to the revealed faiths *only*, by which are meant Islam, Christianity and Judaism. Marriages are allowed between Moslems and the *Ahl-ul-Hawa* (free-thinkers), the Sabaeans, Zoroastrians, as well as the Jews and the Christians. A Moslem may, therefore, lawfully intermarry with a woman belonging to the Brahmo sect. Nor does there seem to be any reason why a marriage with a Hindu woman whose idolatry is merely nominal and who really believes in God should be unlawful . . ."

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President.)

"The Mogul Emperors of India frequently intermarried with Rajput (Hindu) ladies and the issue of such unions were regarded as legitimate and often succeeded to the imperial throne. What the Muhammadan Law requires is that any such union should not lead to the introduction of idolatry in a Mahomedan household."

That is, I submit, the highest authority on Muhammadan Law and it lays down that inter-marriages between Hindus and Muhammadans are legal and may be contracted. But whatever may be the Muhammadan Law on the subject the fact remains that marriage being an international institution, a Hindu or a Muhammadan is entitled to contract a civil marriage, a non-denominational marriage, with any person, of course outside the ordinary limits of consanguinity, under the civil law, and if my Bill is passed, all that my Bill will do is to enable the Indian to contract such marriages within the limits of British India which he is to-day entitled to do outside the territorial waters of India. That is all that my Bill is intended to do.

[Sir Hari Singh Gour.]

Now I wish to point out to the House that it is the primary duty of the State to provide for the marriages of all religionists, and the religious neutrality to which the Government stands committed is only consistent with providing for a non-religious marriage law. As I have said, such a law exists in all parts of the civilised world. India is the only country which has not such a law and it is a disability from which every British subject, whether European or Indian, suffers in this country. Let me give you, Sir, an illustration. An Englishman in England, if he is a free-thinker or for the matter of that if he is a Roman Catholic or belongs to one of these persuasions which would not admit of a Church marriage, is entitled to contract a civil marriage, and when he goes before the Civil Marriage Registrar the only rule which applies restricting his marriage is the natural law of consanguinity. But suppose he comes out to this country and joins one of the public services, the Civil Service or the Medical Service, and suppose he wishes to contract a marriage in this country, there is no machinery of the law under which he can contract a civil marriage. He has either to go to the Church or if he does not go to the Church, he has to go three miles outside the territorial limits of British India so that he may be once more subject to the English law of marriages and thus contract the civil marriage. This disability affects all classes and communities in this country and I therefore submit that upon the general ground it is the duty of the State—and when I say so, Sir, I have the high authority of Sir Henry Maine—it is the duty of the State to provide a secular marriage law for all its subjects. That is my first reason for coming back to this House with a Bill which I introduced as far back as 1921.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): What about the religious sanctity of such marriages?

Sir Hari Singh Gour: I am coming to that. We pass on to the second reason. Honourable Members will see that with the enactment of Act XXX of 1923, all the difficulties with which the sponsors of that Bill had to combat, namely, difficulties about caste and religious sanction, have been done away with, and inter-caste marriages and inter-communal marriages have been legalised by Act XXX of 1923, so that we have covered the ground already. But I submit it is necessary for the national unity of this country and for establishing the statutory equality of all His Majesty's subjects in this country that, so far as the law is concerned they should be free to contract a civil marriage with any person whom they like subject alone, as I have pointed out, to the natural law against consanguinity. That, I submit, is an invulnerable argument in favour of my Bill.

Now, I turn to some practical difficulties. If my Bill becomes law, inter-marriages between persons who are at the present moment excluded from the provisions of the Special Marriage Act would be permitted. Let me in this connection point out that, so far as the present law is concerned, it is perfectly legal even within British India for a person to marry anybody provided he signs a declaration before the Marriage Registrar that he does not profess any of the religions, namely, Christianity, Jewish or Muhammadan religion, and Mr. Justice Greaves of the Calcutta High Court in a reported case pointed out that a declaration under the Special

Marriage Act does not take away the personal right of that person to belong to that religion, in other words, that declaration is merely a formal declaration for the purpose of the Special Marriage Act. I beg to submit that it is possible to take two opinions on that subject. If I wish to marry and I am a Muhammadan or a Hindu, I go before the Registrar and say that I declare I do not profess the Hindu or Muhammadan religion. I make that declaration subject to a mental reservation and I submit that it should be the policy of the law not to encourage what would be a technical perjury, or a false declaration. I therefore submit that the law should provide a much more straightforward course and say, "If you wish to marry we will not compel you to subscribe to what may conceivably be construed to be a false declaration". As I have said, the Calcutta High Court have pointed out that this declaration is only a formal declaration required for a particular purpose. But I submit that even a formal declaration of that character should not be required of persons who wish to contract a civil marriage. I ask every Englishman and every Hindu and Muhammadan in this House, what right is it of a third person to ask me and my intended wife as to what religion we profess. The question what religion I profess or my intended wife professes is a question between me and my God, and he has no right to ask me that question, and in a secular Government, a Government pledged to religious neutrality, it is the less defensible. That Government can only ask what particular religion I belong to if it is the defender of any particular faith, but a Government which is purely secular and pledged to religious neutrality has got no right to ask me to confess, or my intended wife to confess to our religious faith. I, therefore, submit, that in the first place I follow the practice of all civilised nations in asking this House to support my Bill. In the second place, I appeal to those friends of mine who are for the nationalisation of this country, who desire that India should be united and communalism shall go. The good feeling that will be created between the different communities in this country with a possibility of inter-marriages between them would be a political asset the value of which can never be under-rated. Thirdly, I am asking this House to do in a straightforward manner what it is possible to do under the present statutory law of this country—only it requires a declaration which a scrupulous man may hesitate to sign, and if he does not, he has to take a trip out of the territorial waters of India to contract the marriage. Therefore, I am only removing a disability which is purely artificial.

Mr. Deputy President: The Honourable Member has repeated this argument three times.

Sir Hari Singh Gour: I suppose it has gained in emphasis and momentum by the repetition I have made.

Mr. Deputy President: It does not require any momentum if the country is so eager as the Honourable Member thinks it is.

Sir Hari Singh Gour: I am very glad to hear it, and that you are well aware of it.

Now, Sir, I pass on to the next question. I have purposely given notice of this motion for reference of my Bill to a Select Committee, the reason being that this Bill was referred to a Select Committee before and there may be some differences of detail which may be required to be examined by the Select Committee. This Special Marriage Act of 1872

[Sir Hari Singh Gour.]

is becoming a patchwork. In 1872 it was intended to deal with a very narrow class of people. In 1923 its provisions have been further enlarged and we are now trying still further to extend the provisions of that Act. The Select Committee will examine the Special Marriage Act and I should be quite prepared in the Select Committee to accede to any suggestion that may be made consistent with the desire I have in view, of so wording the law as to serve the purpose I have in view, namely, of establishing a civil marriage law in this country. Sir, in making this motion I feel fortified by the fact mentioned on the last occasion, that I am only a co-author of this Bill which was countersigned by the Leader of the Swaraj Party, my Honourable friend, Mr. Srinivasa Iyengar and their Chief Whip, Mr. Goswami, and I have bespoken the support. . . .

Mr. Deputy President: But they are not in the House now to support you.

Sir Hari Singh Gour: That is because on the days we are building a nation when there is a nation-building measure in this House, the nation-builders are not here. Well, Sir, I venture to submit that I have the support of my Honourable friend, Lala Lajpat Rai and my. . . .

Mr. Deputy President: He is also not in the House.

Sir Hari Singh Gour: And my Honourable friend, Mr. Jayakar, and a few leaders of Muhammadan opinion. I therefore feel that I stand on solid ground. I need not labour that point, and I, therefore, move that the Bill be referred to a Select Committee.

Mr. Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): I do not think it will be right for me just to keep quiet on a subject like this. (*An Honourable Member:* "Louder please.") I may be called a reactionary from Sir Hari Singh Gour's point of view. I had the unique fortune of being trained in a liberal and calmer atmosphere. (*Mr. M. R. Jayakar:* "Louder please.") As a Cambridge man my views on this point and kindred subjects are very liberal. In spite of that I do not feel that I can support our distinguished legal colleague, Sir Hari Singh Gour, in his eager wish to bring about some sort of fusion amongst the various races and creeds that inhabit this land. He has quoted a great Muhammadan jurist in support of his Bill. On a little analysis it will be apparent that Mr. Ameer Ali never advocated anything which is not based on the Quran or the Shariat. You know, Sir, that the whole of the Muhammadan law and the traditions based thereon are the works of Muhammadan jurists who followed the Prophet from generation to generation. The Muhammadan viewpoint has been gathered, sifted and analysed and has been embodied in works of Muhammadan law. Here in 1928 I find that it has fallen to the lot of a Hindu gentleman in an indirect way to tamper with our religious faith. I do not know what advantage there would be if this Bill is either referred to the country for their opinion or for that matter even to a Select Committee. I am certain it will not get any support from any Mussulman of any consequence in any part of India. The law as it stands now absolutely meets the requirements of the non-Muslim people who live in this country and they should be grateful to Dr. Gour for his enactment of 1923, known as Act XXX of that year. It is easy now for a Buddhist, Sikh, Jain or a Hindu to remove their caste difficulties

and contract any kind of marriage they like amongst themselves. Dr. Gour will be very wise to let us all alone, because, if this Assembly passed this Bill, it will be giving some impetus to things which will be irreligious from our standpoint. Dr. Gour mentioned the precedents of the Moghul Emperors. I am certain I am not bound by precedents especially in this matter. The law as it stands is absolutely simple. A Muslim can not marry any body else who is not the follower of a revealed book, and the Moslem woman has no option, even if the non-Muslim man was the follower of a revealed book. My suggestion to Dr. Gour is that it would be absolutely wise on his part not to allow this Bill to proceed any further for we are very conservative in these religious matters.

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-official): I congratulate my friend Dr. Gour on his persistent effort for a very long time in introducing this measure. I was in the first Assembly when he tried to bring in this measure, and I supported him even at that time. I think that the only possible way of creating a nation in India is by means of removing the difficulties in the way of marriages between different communities and people following different religions. The only hindrance in this country is the caste system which had been introduced before the Mussulmans came in and the caste people have been following their system with great rigidity in this direction. People belonging to castes are not willing to have any liberal ideas on account of their conservatism. India can never progress until this evil is removed altogether. The only way to remove this evil is to allow people to get married wherever they like. My friend Mr. Anwar-ul-Azim has touched on points about Muhammadan law. I am equally anxious with him that nothing done in this Assembly should go against the religion of Islam. This Assembly has no right to sanction anything which the Mussalman religion does not allow; but there are some difficulties which have to be considered. This is only a permissive law. This law only allows people who profess different religions, if they love each other, to get married. In such cases religion should not be allowed to stand in the way. If a man and a woman love each other their religion should not be allowed to stand in the way of their becoming husband and wife. This is sanctioning great immorality, if people love each other and are not allowed to get married, though they are husband and wife in the eye of God, and not in the eye of man. No religion which has got any liberalism in it will prevent such alliance. As far as Muhammadan law is concerned Islam allows every Mussulman man to get married to a lady who professes a religion in which she believes in the unity of God. This is according to the Mussulman association in the past with the Jews and the Christians. The real idea of this was that Muslims were persecuted in Arabia by idolators and therefore God did not sanction any Mussalman woman to get married to an idolator man because of the fear that she will be persecuted by the man to revert to that idolatory. A Mussulman man was not allowed to marry a woman who was an idolator, because they could not live happily together. The very essential ingredients of husband and wife living jointly are that they should live a happy home life, and if a man is a believer in the unity of God and the woman is an idolator, they cannot and could not possibly be happy in their home life. If a woman is not an idolator, but she believes in the unity of God. I don't see any reason why a Mussulman man cannot be happy with her, whether she believes in Jainism, Hinduism or the Parsee religion, that is, the Zoroastrian faith, or any other religion. That is merely a notion and

[Mr. Muhammad Yamin Khan.]

a wrong interpretation of the law which has been a hindrance in the way of so many lovers getting mated. I think, Sir, if India goes on towards becoming a nation we must be liberal, and unless a nation becomes liberal in its views, in the treatment of social and home life, it cannot be liberal in other matters.

There is one difficulty about which I am myself not sure, Sir, and it is a belief amongst the Mussulmans which has been engendered in their minds for a long long time, that a Mussulman woman cannot get married to any man who is not a Mussulman. That is the interpretation which has been put by different Mussulman doctors of law, that a Mussulman woman cannot get married to anybody else who does not profess the religion of Muhammad. That is the only possible difficulty, but for a man there is nothing.

I will deal first with the case of the Mussulman woman, because that is the only difficult problem. If a Mussulman woman happens to love a man who is not a Mussulman and she lives with him as his wife, what is the law that can stop her from doing that? The only thing is that the children who are born Mussulmans will be considered to be illegitimate. If the man with whom she is living is a Hindu, their caste people would not recognise them, so the children become illegitimate simply because a woman loves a man who does not profess the same religion. That is the main difficulty. The only thing which a non-Mussulman has to do is to provide these children by giving a kind of gift or by making a will. If there is no will or no gift made, then they do not inherit at all. That is the main difficulty in the way. I think you cannot in these days and in the twentieth century stop people from living together if they choose to do so. Recognition of them is what this measure aims at. It is this that in the case of these children born in this way of living if the parties go before a Registrar or a man who contracts the marriage, these children will be recognised as legitimate children, as having been born in wedlock. I think it a great hardship nowadays for these children and women, and one which should be removed by some measure of this kind which will give them some kind of status so as to be able to inherit the property of their parents, and the only thing possible is that this measure should be accepted.

Another case is about a Mussulman marrying a Christian or Jewish girl. If she remains a Christian or a Jew, that marriage is quite valid. The Mussulman professes his own religion and the lady professes her own religion, and all the children are legitimate.

(At this stage Mr. Deputy President vacated the Chair which was resumed by Mr. President.)

If a Mussulman marries a Hindu girl or a Jain or a Parsee girl, why should that illegitimatisé his children. The marriage is not considered valid. There is no reason why the law should stand in the way of a man who wants to get married, who has got some lady from amongst the Hindus or Jains or Parsees whom he loves, and that lady wishes to retain her own religion. There is no reason why she should not be allowed to get married if she loves him and the man is not willing to sacrifice his religion. This law is very hard on the people who sincerely and

devotedly belong to each other and only you are stopping them from getting their marriage sanctioned in the eyes of the world. Personally, Sir, I believe that if a woman professes a religion which believes in the unity of God, she should be allowed to marry any one and the law should sanction such marriage. There are very few amongst the Hindus now-a-days who are idolators. The majority of them absolutely believe in the unity of God. Of course there may be some who do not believe in any kind of deity. Some even do not believe in God. They may be atheists. Of course marriage with an atheist is doubtful and that cannot be valid, but in that case if she comes under the influence of a Mussalman and goes on living with him she will certainly begin to believe in the same way.

Mr. K. Ahmed: What do the Aryans believe?

Mr. Muhammad Yamin Khan: They believe in the unity of God. This measure gives permission to these kind of people to set an example which may ultimately make India one nation, which would be accepted by anybody.

My friend Mr. Anwar-ul-Azim says he is not bound by the examples set by the Moghul Emperors. At the time of Akbar, whom I consider the first nation builder, the first man who was a real nationalist, he saw the consequences of the caste system prevailing in India, and he knew that India could never be united unless he as King set this example so that other people may follow his example. Unfortunately his example was not followed after a few generations, but it was he who laid down this principle and he started by being himself an example. and in those days whatever a King used to do was followed by everybody. Nobody had the right to question what the King did excepting the people who were doctors of law. At that time, even in the time of Jehangir and in the time of Shah Jehan, the Mussalman doctors of law did not question the validity of these marriages with Hindu ladies. Those laws were accepted and the children were considered legitimate—not only legitimate but they even became Emperors of India. In those days no illegitimate child would be welcomed by the public at large; but these children were held to be all right and they were respected by all. Their example was followed in many quarters. So now, after three centuries, I think it is not right to go and question that. Whatever example towards progress has been set by them should be followed by this House which is a progressive House, which is a cosmopolitan kind of House in which we have got all kinds of people and we have all got the same interest at heart, namely, the benefit of India and the advancement of India, for making India a nation. All our efforts must be directed towards that end. As I have said I am not sure whether my views may be worth anything. I know there may be some differences of opinion among the Mussalmans in India, and for this purpose I am not for sending this Bill to the Select Committee but I think this Bill should be sent to the Select Committee after it has been circulated for public opinion. By that our hands will be strengthened by knowing whether there are in India people who are ready to support this measure or whether they are still so conservative that they have no regard for building up the nation but would stick to the caste system which has been the real cause of the destruction of the whole of Indian progress and which is still standing in the way of the achievement of the goal which most of us have in view.

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I entirely agree with the views expressed by my Honourable friend Mr. Yamin Khan. I rise not only to support but to give my wholehearted support to him. What appeals to me most is that this Bill will tend to the advancement of the Indian nation. However much you may try to remove communal differences, you may have as many meetings as you like for the same purpose, but the result will not be satisfactory. Intermarriages surely will go a long way to advance the cause of the nation. That is the chief ground why I give my wholehearted support to the measure.

Now, Sir, from the Muhammadan point of view I can say that so far as I find in the holy Koran, marriage between persons of different religions is not prohibited. The only thing that is objected to is marriages between Mominins and Mushrikins. Now Mominins are believers in and worshippers of one God while Mushrikins worship all sorts of material objects except God; so marriages between persons who worship one God and one God alone are permitted; but marriages with persons who worship material objects—we may call them idolators—are discouraged. This Bill is purely permissive. There is no compulsion. The Bill if passed is bound to raise the standard of marriages. Besides, it will tend to monogamous marriages as well.

Now regarding the question of marriage, there is no doubt that in our religion permission is given to marry four wives, but then the permission is on condition that the man or men who marry more than one wife should do equal justice to all the wives and should provide equally for their maintenance. Is it very easy for a man to do equal justice to all his wives? So that permission also tends to monogamy. The Prophet has given, I mean, the holy Koran has no doubt given permission to marry up to four wives. This Bill tends to monogamy which is according to the injunction of the holy Koran, I mean taking the rationalistic view of it. Monogamy raises the standard of our women and also creates good feelings, domestic felicity, and peace in the family. So, Sir, I say that, as this Bill tends to monogamous marriages, as this Bill tends to the elevation of women and as this Bill is not against the Muhammadan law or the injunction of the holy Koran, I wholeheartedly support the motion that the Bill be referred to a Select Committee. I would not however object to a motion to circulate the Bill for eliciting opinions thereon, but in that case my fear is that the matter will be shelved. This Bill has been before the House for a long time and there is no need to send it out for eliciting opinions. When the Bill goes to Select Committee Muhammadans will be there. Hindus will be there, both orthodox and advanced—in fact every school of thought will be there and they can change anything they do not like in the Bill. So there should be no real objection to the motion to refer the Bill to Select Committee, unless there is some lurking desire in the minds of some not to go on with it. Of course one cannot say so openly, but unless there is some such desire, there is no reason whatsoever for sending the Bill out to elicit opinions. The question is very simple, and having said so much from the Muhammadan point of view as well as from the rationalistic point of view, I support this motion and resume my seat.

The Honourable Mr. J. Crerar (Home Member): Sir, I move that the Bill be circulated for the purpose of eliciting opinions thereon.

I think that this motion will commend itself to the House because, even during the course of the present debate, there has already been revealed a very remarkable degree of diversity and even of confusion of thought on the subject matter of the Bill. I do not however desire my motion to be in any way misconceived. So far as the objects which the Honourable the Mover propounds to himself are concerned he will, I am sure, receive a great deal of sympathy and support in this House. I am however myself, in dealing with the particular motion which the Honourable and learned gentleman has moved, confronted by a preliminary difficulty of a somewhat formidable character. I am very doubtful indeed whether in point of fact the Bill which the Honourable Member has moved to be referred to Select Committee would attain the objects which he has in view. If I were not reluctant to ascribe to the Honourable and learned gentleman a failure to appreciate exactly the precise state of the law in the matter, I should almost surmise that the amending Bill which he proposes was framed with regard to the law as it stood in the Act of 1872 and without regard to the amendments which were introduced by Act XXX of 1923. I must point out to the House that, though at this stage it would be entirely inopportune and doubtless not in order for me to go into any question of detail, I must point out in regard to the main operative provision of the Bill that most serious difficulties must undoubtedly arise; and I call attention to them not because I think that the objects propounded by the Honourable Member cannot in some form be attained (?) my object is simply to point out that the Bill as it stands is a Bill which could hardly be dealt with by a Select Committee in order to produce the results which are desired. The Special Marriage Act, if it were amended in the sense proposed by Sir Hari Singh Gour, would, in so far as one of its main operative provisions is concerned, read as follows:

“Marriages may be celebrated under this Act between persons domiciled in India or between persons, each of whom professes one or other of the following religions, that is to say, the Hindu, Buddhist, Sikh or Jaina religion.”

Now, Sir, I confess that I have very grave doubts in my own mind as to what that means. I have very grave doubts, which I think will be shared by others more learned in the technicalities than myself, as to what the effect of such a provision would be. The Act as amended in 1923 did a thing which was perfectly specific. It created two categories of persons quite distinct and quite definable, namely, those who do not profess the Christian or Jewish or Hindu or the Muhammadan or the Parsee or the Buddhist or the Sikh or the Jaina religion; and another category of persons each of whom professes the Hindu, Buddhist, Sikh or Jaina religion. Now, Sir, it is important to remember the very important consequences flowing from the question as to which of these categories a person falling within the provisions of this Act belongs. If he or she belonged to the category of those who profess the Hindu, Buddhist, Sikh or Jaina religion, certain very important consequences relating to severance from families, right of adoption and succession to property result—all very important provisions which were deliberately inserted by the Select Committee of 1923. Now, if for one of those perfectly definite categories you substitute the comprehensive category of

[Mr. J. Crerar.]

persons domiciled in India, what precisely the consequence of legislation of that kind would be appear to me extremely doubtful. It is not, *e.g.*, by any means clear that a Hindu marrying a person of any of the other religions would or would not be treated as being within the first category, that is to say, as a person domiciled in India; and it might become a matter for very serious consideration whether the provisions which the Select Committee of 1923 considered necessary, would in point of fact be applicable.

However that may be, I do not wish to press that point because I think there will be a general sense in this House—at least I hope there will be—in favour of circulating this Bill. Sir Hari Singh Gour pointed out that when the Bill which he first devised was circulated for opinion a considerable measure of support was obtained. I am not concerned to dispute that or to underestimate it. What I do desire to point out is that when the Bill ultimately came before the Select Committee the grave difference of opinion that arose in the Select Committee was precisely upon the point which Sir Hari Singh Gour now wishes to enact by his present Bill. The Select Committee of 1923, after prolonged discussions—and obviously discussions in which great diversity of opinion emerged—came by a large majority to the conclusion that the scope of the Bill at that time should be limited to the Hindu, Buddhist, Sikh and Jaina communities, in addition to the persons to whom the Act already applied. In short, Sir, the Christian, Muhammadan, Jewish and Parsee communities were expressly excluded from the scope of the Bill. Now, my point is this: I do not wish to express myself or Government as in any degree hostile to the objects which the Honourable Member has in mind. But I do venture to emphasise and to accentuate the great desirability, before this House commits itself to the principle of the Bill by referring it to a Select Committee, of giving these communities who are principally concerned by the Bill or at any rate by the intention of the Bill, an opportunity of expressing their views precisely upon the issue as it now stands. As I see, a large degree of diversity of opinion has already manifested itself in this House; and I do not think the Honourable and learned gentleman would really be wise in taking a course of action which would be calculated to give an impression that he desires to rush this legislation through. At any rate I desire to make my own position and the position of Government perfectly clear. I desire to express no hostility whatever to the enlightened views expressed by the Honourable Member and intended to be promoted by this Bill. I express, however, the gravest doubts as to whether the Bill would effect these objects. I express the gravest doubts as to whether a Select Committee could so amend this Bill without entirely changing its character as to effect those objects; and finally I urge once more that in view of the diversity of opinion which has already manifested itself in this House—a diversity of opinion which is also likely to be felt outside this House—that we should have a more extended consultation of public opinion, particularly in the communities expressly concerned, before we commit ourselves any further.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, call me a conservative: call me a man who comes in the way of the progress of the country; but as long as I profess Islam, as

long as I am a Mussalman, I am bound to oppose the provisions of this Bill so far as they relate to Mussalmans.

Mr. N. M. Joshi (Nominated: Labour Interests): On a point of order, Sir May I ask whether it is right to go on with the discussion of the merits of the Bill when a motion has been made that the Bill be circulated? What I want to say is that there are other Bills to be moved

Mr. President: The original motion is that the Bill be referred to a Select Committee, to which an amendment has been moved that the Bill be circulated for eliciting public opinion.

Mr. N. M. Joshi: My point of order was that when a motion is made that the Bill be circulated, that motion should first be got rid of.

Mr. President: Both the motions are before the House.

Maulvi Muhammad Yakub: As regards the provisions of this Bill being in conflict directly, not only with the Muhammadan law, that is the *Fiqāh*, but with the express words of the Koran, I will only refer this House to the very book on Muhammadan Law which my friend the Mover of the motion, in charge of the Bill, has referred you to, namely, Muhammadan Law by the Right Honourable Ameer Ali. On page 327 of his book, Mr. Ameer Ali clearly says:

"The fifth relative prohibition springs from *shirk* or polytheism; the observant student of the law of the two principal sects which divide the world of Islam cannot fail to notice the distinctive peculiarity existing between them in respect of their attitude to outside people. The nations who adopted the Shiah doctrines do not seem to have come into contact to any marked extent with the Christian races of the West, while their relations with the Mago-Zoroastrians of the East were both intimate and lasting. The Sunnis, on the other hand, seem always to have been more or less influenced by the western nations. In consequence of the different positions which the followers of the two sects occupied towards non-Moslems, a wide divergence exists between the Shiah and Sunni schools of law regarding intermarriages between Moslems and Non-Moslems.

It has already been pointed out that the Koran, for political reasons, forbade all unions between Mussalmans and idolaters. It said in explicit terms 'Marry not a woman of the polytheists (*mushrikin*) until she embraces Islam'. But it also declared that 'such woman as are muhsinas (of chaste reputation) belonging to the Scriptural texts' or believing in a revealed or moral religion, 'are lawful to Moslems'."

Therefore, Sir, it is quite clear that, according to the Muhammadan law, a Muhammadan man or woman cannot marry a man or woman who is not a Unitarian. Now, I do not contend that Mussalmans can marry only Christians or Jews, but under the Muhammadan law a marriage between a Mussalman and a non-Mussalman whose religion is Unitarian is permissible, and therefore, so far as these marriages go, you do not require to invoke the provisions of the special Act to make it valid. To make myself clear, I may say that under the existing Muhammadan law a marriage between a Mussalman and a member of the Brahmo Samaj is quite valid and therefore you do not

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Is there any instance on record of such a marriage being held valid?

Maulvi Muhammad Yakub: If a marriage of that character had taken place, and if the matter had come before a judicial tribunal, then it would have been held that such a marriage was valid.

Sir Hari Singh Gour: What is the machinery for it?

Maulvi Muhammad Yakub: The machinery would be Ijab and Kabul, which is necessary according to Muhammadan law. It is a civil contract. The only two fundamental conditions for a marriage according to Muhammadan law are a proposal and acceptance. No other formalities are necessary, though certain formalities are observed as a matter of custom, but the two fundamental conditions necessary for a valid marriage according to Muhammadan law are a proposal and acceptance.

Khan Bahadur Sarfaraz Hussain Khan: Are not Muhammadan marriages registered in some of the provinces of India before the Registrar?

Maulvi Muhammad Yakub: But the marriage must be performed according to Muhammadan law and between parties who observe the Muhammadan law. For instance, we have got our Kazi who performs the marriage, and after that ceremony is over, the marriage is registered in the Kazi's register. What I mean is, marriages between those who are Muhammadans and those who are Unitarians are permissible and you do not require any special law for them. So far as marriages between Mussalmans and those who are not Unitarians are concerned, they are invalid, and no special law which may be enacted in this House can make such marriages valid in the eye of the Muslim law. Sir, you will be creating many difficulties if you enact such a measure. For instance, you come in direct conflict with the provisions of the Muslim law when you allow the marriage of a Muslim with a man or woman who is not a Unitarian. On the other hand, for the sake of succession and inheritance, you would be administering the Muhammadan law to the children born of such unions. That is to say, you would derive all the benefits of the Muhammadan law so far as succession and inheritance go, while you come in conflict with the provisions of the law when you allow the marriage between a Muslim and one who is not a Unitarian. No special marriage law is enacted by the Legislature for Muhammadans, because they only adhere to the *Shariat* and to their scriptures. They have shown no special desire to modify the divine law through the interference of human agency, and it would be absurd on the part of my friend Sir Hari Singh Gour to thrust a law upon a community which does not want it. Honourable Members will remember that whenever this question was brought up before the Legislature, there was considerable opposition to it from the entire Muslim community. The House will also remember that when the late Sir Bhupendra Nath Basu tried to introduce this Bill in the old Imperial Legislative Council, Maulana Mahommed Ali wrote a series of articles in his paper called the *Comrade* against the measure being applied to Muhammadans. I would therefore warn Government that if they try to interfere in the matter of the religion of Mussalmans in this country, which is very dear to them, they will be confronted with consequences which it will be very difficult for them to foresee just at present. As the present motion is that the Bill be circulated for eliciting public opinion which, I hope, will be carried by the House. I do not think I need detain the House by opposing the motion, because if the Bill again comes before the House. I shall have the opportunity of speaking in greater detail against this measure. With these few observations. Sir, I entirely oppose the provisions of this Bill so far as they relate to the Mussalmans.

Rai Sahib Harbilas Sarda (Ajmer-Merwara: General): Sir, I rise to support the motion of my Honourable friend Sir Hari Singh Gour. The

object of the Bill is to extend the benefits of the Special Marriage Act of 1872 in their entirety to Indians generally. At present these benefits are not applicable in their entirety to those who profess the Hindu, the Muslim, the Jaina or the Sikh faiths, and I think, the time has now come when legislative action should be taken in the matter with which the Bill deals. The marriage law of the Hindus as at present administered by the courts in British India is neither what is laid down in the ancient Hindu texts nor is it in accordance with that practised in ancient times in this country. The present law, even as modified by the Act of 1923, is based partly on recent texts only a few hundred years old but chiefly on custom, and came into existence when Hindu society was in a peculiar state of evolution and was surrounded by peculiar circumstances. The conditions of life have during the last half century greatly changed and are changing so fast that the law has become very irksome in many cases. Owing to the altered circumstances of life in India and the acceptance of new ideals of life and conduct, the marriage law of the Hindus, in its present form and with its present limitations, has begun to operate against the well being and solidarity of the Hindu community. Such a thing occurs at sometime or other in the case of all growing communities. The remedy adopted in other countries was not to take in hand the reform of the institution but to provide legal facilities for escape from its galling conditions. Such, I believe, is the origin of the Civil Marriage Acts in various countries. and such Acts are as a rule permissive in character and not mandatory.

The spread of education, the enormous facilities for travel, the ever increasing intercourse between members of different Hindu castes and constant contact with non-Hindus of education and culture, coupled with the great difficulty, and sometimes impossibility, of finding suitable matches within a limited circle, have made the question of marriage a problem of great importance for the Hindus. The emancipation of the intellect and the will from the fetters imposed by prejudice, due to education and contact with the more advanced peoples of the world, and the pressure of conditions of life now obtaining in the country which is no longer an exclusive, self-sufficing and isolated part of the world, make it a matter of increasing difficulty for Hindus to conform to all the prevailing social customs which mostly originated under political, economic and social conditions which have disappeared or are fast disappearing. The Hindu social fabric of the present day has undergone such a change during the course of its evolution from the time of Manu and Yagnyavalka that it is sheer mockery to accept or reject an important social measure solely on the ground that it does or does not conform to the old Hindu texts.

Leaving aside the law laid down in the old texts, and coming to consider the actual practice of marriage amongst the Hindus in ancient times, we find that great freedom was enjoyed by the people in the matter. I will give three or four historical instances to show what freedom was allowed in ancient India in the matter of marriage. Leaving aside the well known historical instance of the marriage of the Hindu Emperor Chandra Gupta with the daughter of the Greek King Seleucus, so graphically described by Dr. Vincent Smith as having taken place about 303 B. C., the Junagarh inscription of the year 72 Saka era (A. D. 150) quoted in the *Epigraphia Indica*, Vol. 8, describes the marriage of Rudradaman, a Shak, with the daughters of the Hindu King at Swayamvaras. The Kanheri cave inscription records the marriage, performed about 155 A. D., of Raja Vashishti's

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son, Satkarni of the Andhra family, with the daughter of the Kshitraps, Rudra, a non-Hindu King.

Mr. M. S. Aney (Berar Representative): Was he a non-Hindu?

Rai Sahib Harbilas Sarda: Well, it is given there in the inscription. The girl perhaps later on became a Hindu.

Mr. M. S. Aney: Is it written there that the girl later on became a Hindu? I would like you to quote the passage.

Rai Sahib Harbilas Sarda: The 6th century A. D. inscription of the cave of Culvada near Ajanta mentions also a similar instance of inter-marriage. The celebrated Atpur inscription of Shaktikumar of 977 A. D. mentions the marriage of Shaktikumar's ancestor Allata with Hariyadevi, a Hun princess. It is mentioned that the princess belonged to the Hun race. History records that the mother of Bappa, the great King of Chitor, was of Mauriya family. The 12th century inscription of the Kalachuri King Yashkarandeva mentions that Yashkarandeva's father Karandeva had married Avaladevi, a Hun princess. Many other instances of marriages between Hindus and non-Hindus in ancient times can be cited. I would cite an instance of a very recent date. On the 17th of March this year, Miss Miller was married to the Maharaja Holkar according to the orthodox Hindu rites, which fact goes to show that marriages between Hindus and non-Hindus are in accordance with the tenets of Hinduism.

Sir Walter Willson: But she is a Hindu now.

Rai Sahib Harbilas Sarda: I think in the interests of the Indians generally and the solidarity of the Hindu community this matter should be taken into consideration by the House and the principle of the Bill accepted.

Mr. N. M. Joshi: I move, Sir, that the question be now put.

The motion was adopted.

Sir Hari Singh Gour: Sir, I propose to detain this House for a very few minutes. So far as the Honourable the Home Member's remarks are concerned, I thank him at any rate for small mercies. He says that the attitude of the Government is not hostile to this measure. I wish he had permitted himself to say that it was one of benevolent neutrality, and that, I submit, would have been more in consonance with the declared policy of the Government of India. But I will assume, Sir, that that is what he implied. Now his motion is a dilatory motion for circulation of the Bill. As I pointed out, Sir, this Bill in various forms has been under circulation from 1868 down to 1921 and within the last 60 years it has held the ground so far as this country is concerned. In 1921 this precise measure which I have the honour to sponsor to-day was sent out for circulation to the provinces and I have already referred, Sir, in my opening speech to the opinions then elicited. I venture to submit that the opinions of the country have since strengthened in favour of my measure and the Muhammadans and Parsis and Jews and Christians and others who would be directly or indirectly affected by this Bill are now more in favour of my measure than they were at any time past. It is for this reason that I have ventured to ask this House to commit this Bill to a Select Committee. The Honourable Mr. Cregar has criticised some of the provisions of it. It does not

become me, Sir, to reply in detail to the criticisms of the specific clauses of the Bill because, as I understand the Standing Orders, if my motion is accepted, this House would only stand committed to the broad principle of the Bill and leave the Select Committee to put it into proper and legal shape, and it is for this reason, Sir, that I do not wish to go into the details of the various clauses of this Bill. I may, however, make one suggestion to the Honourable the Home Member if he wishes that this Bill be circulated for the purpose of eliciting public opinion thereon. He may be at any rate good enough to expedite the circulation of the Bill so that it may come on during the Simla Session. I know, Sir, the delay consequent upon such motions. The last time in 1921 when I had made a similar motion, it took about $2\frac{1}{2}$ years before opinions could be collected and it was only towards the end of 1923 that we were able to place a much attenuated measure on the Statute-book. I hope, therefore, Sir, that the Honourable the Home Member will be good enough to expedite the collection of opinions which he can by fixing a certain time by which opinions should be received. I have another suggestion for the favourable consideration of the Honourable the Home Member. You will remember, Sir, that, when I moved for the consideration of my Children's Protection Bill, the Honourable the Home Member suggested the formation of a committee that should collect opinions and draw up a report. I wish to ask whether the provisions of this Bill may not be more conveniently entrusted to this Committee. Both these measures are measures of social reform and, while they will be touring in the country, they will be collecting opinions on the Age of Consent Bill, and they might also collect opinions on the provisions of the present Bill. All I am anxious about, Sir, is that the term of office of the Members of this Assembly may not expire before the opinions from the provinces are returned. With these remarks, Sir, I feel that I should be not fair to myself and to the Bill if I acceded to the motion of the Honourable the Home Member unless he is prepared to give me an assurance that the opinions will be so expedited that the Bill would be likely to come up during the autumn Session of the Legislative Assembly, and I further ask, and ask in all earnestness, the Honourable the Home Member to consider the desirability of entrusting the inquiry to a committee, the committee which he has promised to form on my Children's Protection Bill.

Mr. President: The original question was:

"That the Bill further to amend the Special Marriage Act. 1872, be referred to a Select Committee."

Since which the following amendment has been moved:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

The question is that that amendment be made.

The motion was adopted.

THE HINDU INHERITANCE (REMOVAL OF DISABILITIES) BILL.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhamadan): This is a non-controversial Bill, Sir. I beg to move that the Bill to amend the Hindu Law relating to exclusion from inheritance of certain classes of heirs, and to remove certain doubts, be taken into consideration.

As Honourable Members will see from the Statement of Objects and Reasons this Bill was introduced in the first Assembly by the late Mr. Seshagiri Ayyar. It was passed by this Assembly without a division.

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Then it went to the Council of State and it was entrusted in that House to a non-Hindu Member. An objection was taken that an amendment of the Hindu law should have been sponsored by a Hindu Member of that House, and the consideration of the Bill in that House was postponed with the result that the Bill never came on in that House at all. I wish to revive this measure because it is a measure of first-rate importance, a measure upon which I have the support of public opinion and of all Hindu lawyers that have given their opinion on the subject. The question was sent to the provinces and opinions have been collected which are before me in a book form. I would, however, for the benefit of my Honourable friends who may not have had an opportunity of glancing through the opinions, briefly point out the genesis and rationale of the Bill which I wish this House to pass. In the ancient Indian law it was provided that a person who was suffering from mental or physical incapacity, want of a limb or an organ, was incapable of acquiring any right in property, of either becoming a coparcener or an heir to the estate. Now, Sir, this archaic law has been responsible for the exclusion from inheritance of a very large number of people and in a Full Bench of the Madras High Court decided only about 4½ years ago the learned Judges pointed out that this was a very hard law and that the Legislature must try to remedy it. The evil is this. Suppose a Hindu family consists of two brothers, and one brother goes to a war to fight for his country or is employed in a factory as a wage earner, and suppose on account of some accident or on account of his fighting well in the war he loses his arm or his limb, he becomes disinherited and totally incapable of acquiring any right in property. He then becomes what is known to the law as a disqualified coparcener or a disqualified heir. Now, I submit, this is a very hard law, a law which the courts are trying to struggle against. But while they have been trying to evade the law, there are a very large number of decisions in which that law has been given effect to, and I submit that in the case of uterine brothers perhaps this disability is overlooked, but when they happen to be step-brothers or cousins or nephews and what is more, when the property passed out of the family to a *bona fide* alienee for value from one of these incapacitated persons, then the full force of the law is brought to the forefront and the cousins or nephews and the alienees are dispossessed with reference to the law. I submit the law is abundantly clear that so far as these incapacitated persons are concerned they should not lose their vested right in property. As I have pointed out this House without a division passed this Bill on the 27th March, 1923, and it is only by an accident that it has not become law. I ask this House, Sir, without any hesitation once more to ratify its decision of March, 1923, and give this Bill its *imprimatur* with the hope that it will also be passed in the other House.

I move, Sir.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Sir Hari Singh Gour: Sir, I beg to move that the Bill be passed.

The motion was adopted.

THE INDIAN MERCHANT SHIPPING (AMENDMENT) BILL.

Maulvi Abdul Matin Chaudhury (Assam: Muhammadan): Sir, I move that the Bill to amend the Indian Merchant Shipping Act, 1923, for certain purposes, be circulated for the purpose of eliciting opinions thereon.

In moving this motion, Sir, I have no desire of making any long speech. I shall explain very briefly my reasons in support of my motion. I think, Sir, I can say without the least exaggeration that the Indian seamen are the most exploited body of workers in India. It may come to Honourable Members as a surprise to know that when a seaman is engaged for a voyage for a year he is required to pay three months' salary as a bribe to the intermediary, when he is engaged for three months, he is required to pay one month's salary as a bribe, and the Government knows it. In the year 1922 Government appointed a Committee—the Indian Seamen's Recruitment Committee. Mr. Clow was its Chairman and it included on it a shipowner representative like Sir Frank Carter and a labour leader like my friend Mr. Joshi. That Committee, Sir, condemned the present system of recruitment as systematized extortion and they were unanimously of the opinion that:

"this system has led to grave abuses which no mere amendment of detail would satisfactorily remove."

They have come to the conclusion that:

"it is imperative to introduce an entirely new system which does not involve the employment of intermediaries. It is clear that if the brokers and ghat serangs are no longer to be employed, arrangement must be made to carry out the duties at present entrusted to them. The Committee point out that this can only be effected by the 'organisation' of employment bureaux."

My Bill, Sir, simply aims at giving effect to that recommendation of the Committee. I expected that instead of my moving this Bill, Government would come forward with their own Bill to give effect to the recommendations of a Committee appointed by them. But for reasons, Sir, which are best known to Government they are keeping silent over it and this has compelled me to introduce this Bill.

Sir, I move.

The Honourable Sir George Rainy (Member for Commerce and Railways): I wish to speak very briefly as regards the Bill the circulation of which has been proposed by the Honourable the Mover. Government have no objection whatever to the circulation of the Bill, and they think it will serve a useful purpose because we hope that it will elicit what the real facts are with which we have to deal. We have been trying, without legislation, in Calcutta during the last three or four years to bring about an improvement in the state of affairs disclosed by the report of the Committee over which Mr. Clow presided. The latest information we have from the Local Government is that there has been a distinct improvement, and that the abuses of which complaint was made do not prevail to anything like the same extent as they did formerly. I am aware that that view is challenged by some Members of this House, and I think it will serve a very useful purpose if we obtain full reports as to the state of affairs both in Calcutta and in Bombay, for it is only in these two ports that the

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recruitment of Indian seamen is carried out on a large scale. When the opinions of the Local Governments and others who are interested in the subject are received, then it will be time to consider whether legislation ought to be undertaken on the lines of this Bill. All I should like to say by way of a warning is that I am a little afraid that there may be great practical difficulties in working an employment bureau of the kind suggested. I will not weary the House with details of that, because the House is not asked at the moment to pronounce any opinion about it, but I should like, in order to make plain the attitude of the Government, to say only this much that there are serious practical difficulties and I am not prepared to say at the moment that they could be overcome.

Mr. President: The question is:

"That the Bill to amend the Indian Merchant Shipping Act, 1923, for certain purposes, be circulated for the purpose of eliciting opinions thereon."

The motion was adopted.

THE INDIAN DIVORCE (AMENDMENT) BILL.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): I beg to move that the Bill further to amend the Indian Divorce Act be circulated for the purpose of eliciting opinions thereon.

Sir, I shall add a very few words to what I have written in the Statement of Objects and Reasons in justification of the measure. My Bill is almost a verbatim copy of Lord Buckmaster's Bill which has been twice passed in England by the House of Lords but which for want of time has not yet come up before the House of Commons. The short history of this measure is that a Royal Commission was appointed in England for the purpose of bringing the English law of divorce in line with the Continental law. The Royal Commission by an overwhelming majority reported that the English law was an anachronism and entirely out of date when compared with the law on the Continent of Europe and in America. In consequence of this report of the Royal Commission Lord Buckmaster, an ex-Lord Chancellor of England, introduced a Bill in the House of Lords and it twice received the consent of the House of Lords by an overwhelming majority, but when it came to the House of Commons. Mr. Baldwin, to a deputation headed by Lord Buckmaster, said that it was a controversial measure and the time of the House of Commons was otherwise engaged, and that, therefore, it was not possible to allot any Government day for the consideration of that measure. The position, therefore, is this, that the law of divorce all over Europe and America excluding only England is the law which my Bill deals with. In all the Colonies of England the law is exactly the same as that which my Bill, if passed into law, would make it. I may also add that Lord Birkenhead in a series of articles published in the English journals from which I have quoted in the Statement of Objects and Reasons, has strongly supported a measure of this kind. I, therefore, feel that I have very strong support of high legal luminaries in England, and fortified as I am by the report of the Royal Commission and by the verdict of several Lord Chancellors of England, I have not the slightest doubt that the public opinion in this country will

rally to the support of my Bill which is intended to make the Indian law of divorce identical with the law of divorce prevailing in the British Colonies and the Continent of Europe and other civilised parts of the world.

Sir, I move.

The Honourable Mr. J. Grerar (Home Member): Mr. President, I do not wish to detain the House at any great length on this motion, and I shall content myself with stating in a very few words the attitude of the Government of India towards Sir Hari Singh Gour's motion. We do not intend to oppose the motion for circulation. Those who have followed the course of the measure to which Sir Hari Singh Gour has referred, will have observed that while a very large measure of support was received to that Bill in England there was at the same time a very considerable amount of opposition. I must enter one caveat with regard to the possible consequences of this motion. Sir Hari Singh Gour has intimated that one of his objects is to bring the law of divorce in India into conformity with the law prevailing in the British dominions and on the Continent of Europe. But there is an existing provision of the present Indian Divorce Act which must be taken into very careful consideration—I refer to section 7 which prescribes as follows:

“Subject to the provisions contained in this Act, the High Court and District Courts shall, in all suits and proceedings hereunder, act and give relief on principles and rules which, in the opinion of the said Courts, are as nearly as may be conformable to the principles and rules on which the Court for Divorce and Matrimonial Causes in England for the time being acts and gives relief.”

In other words, the whole structure of the Indian Divorce Act and of the procedure under that Act is based upon the conception that the law relating to divorce, so far as persons subject to this particular Act are concerned, shall be administered in India in the closest conformity with the principles, practices and rules observed in England. If the measure which my Honourable friend Sir Hari Singh Gour has drawn up were given effect to as it stands, we should have, in point of fact, very great differences set up between the law of divorce in England and the law of divorce in India. I am, however, and the Government of India are, in no way averse to public opinion in this country being consulted on that important matter. If Sir Hari Singh Gour's anticipations are correct and if a large body of opinion in this country is found favourable to the measure, I should hope that note will be taken of that in England.

While this particular motion for circulation is not opposed by the Government of India, I must make it clear that any possible consequences of further legislation in that matter at a larger stage, possibly in another form, would have to be treated and regarded by the Government of India with strict regard to the merits of the case as it may then stand.

Sir Hari Singh Gour: May I just add one word by way of reply? It is this. Section 7 of the Indian Divorce Act to which the Honourable the Home Member referred was enacted as far back as 1872, some 50 odd years ago when India used to borrow its law *en bloc* from England. That was exactly the position with regard to the British Colonies, but the British Colonies have altered their law and they have made divorce laws independent of the law of England. If my Bill comes before this House for enactment, this House will feel equally justified in following the precedents of

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the British Colonies in bringing its law into conformity with the modern usage of all civilised nations and modify section 7 so as to make the Indian law the real law as it obtains all over the civilised world and not make it contingent on the rules and practice of the English law.

Mr. President: The question is :

"That the Bill further to amend the Indian Divorce Act be circulated for the purpose of eliciting opinions thereon."

The motion was adopted.

THE INDIAN PENAL CODE (AMENDMENT) BILL.

IMMUNITY OF MEMBERS OF UNREGISTERED TRADE UNIONS, ETC., FROM THE CONSEQUENCES OF THE CONSPIRACY LAW.

Mr. N. M. Joshi (Nominated : Labour Interests): I move that the Bill further to amend the Indian Penal Code be circulated for the purpose of eliciting opinions thereon.

The objects of the Bill are fully explained in the Statement of Objects and Reasons appended to the Bill. It is not therefore necessary for me to make a long speech to explain the provisions of the Bill, but it is necessary just to say why the Bill is necessary. My Bill seeks to give to unregistered trade unions and to any group of workers who are engaged in a trade dispute an immunity which the Indian Trade Union Act gives to the members and officers of a registered trade union. Section 17 of the Indian Trade Union Act is as follows :

"No officer or member of a registered trade union shall be liable to punishment under sub-section (2) of section 120B of the Indian Penal Code in respect of any agreement made between the members for the purpose of furthering any such object of the trade union as is specified in section 15 unless the agreement is an agreement to commit an offence."

This section gives immunity to the members and officers of registered trade unions from the operation of the law of conspiracy in India. My Bill proposes that the same immunity should be extended to members of unregistered trade unions and to any group of workers who are engaged in a trade dispute. The object of my Bill is to bring the law on this question into line with the English law. In England there used to be a law of conspiracy by which workmen who combine for the sake of a trade dispute were punished under the law of conspiracy, but in the year 1875 the law was changed so that immunity was given to all workers who combine together for a trade dispute. The English law as it stands to-day is this :

"An agreement or combination by two or more persons to do or to procure to be done any act in contemplation or furtherance of a trade dispute between employers and workmen shall not be indictable as a conspiracy if such an act committed by one person would not be punishable as a crime."

The English law does not give immunity only to the members of registered trade unions although there is a law in England to register trade unions. Nor does the English law give immunity only to the members of a trade

union. The English law gives immunity to all persons who are engaged in a trade dispute and my Bill proposes that similar immunity should be given to Indian workers also. Sir, the Government of India does not or cannot now dispute the utility of giving immunity to organised workers because they themselves have now given immunity to the members and officers of registered trade unions in the Indian Trade Unions Act. I need not therefore explain.

Mr. President: The Honourable Member stated on a previous motion that the principle should not be discussed at length on a motion of this kind.

Mr. N. M. Joshi: I have no intention to discuss the principle if that ruling is to apply to all persons. I am quite willing to bring my speech to a close as soon as possible.

Mr. President: What is the Honourable Member's suggestion in his remarks "if it is to apply to all persons"?

Mr. N. M. Joshi: Up to this time peoples were making speeches and so I thought that I might also.

Mr. President: The Honourable Member knows that the motion then before the House was that the Bill be referred to a Select Committee, to which an amendment was moved that the Bill be circulated for the purpose of eliciting opinions. The Chair having ruled that both motions were before the House, Honourable Members were entitled to discuss the principles of that Bill. It is otherwise with this motion.

Mr. N. M. Joshi: Then I do not wish to take any more time in discussing.

Mr. President: I was merely reminding the Honourable Member of his own objection to the procedure he now follows.

Mr. N. M. Joshi: In the present industrial conditions of India there are very few unions and only very few of them are registered and the workers will not be able therefore to get the benefit of the Trade Unions Act. If the immunity is to be of use to the workers in India, the immunity must be extended not only to the members of the registered trade unions but to all trade unions and also to all unorganised workers. It is only then that the immunity will be of some use. As the Government may not oppose my motion, I do not wish to make any more remarks.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, it is the present opinion of the Government of India that the Bill whose circulation for eliciting opinions thereon has been moved by my Honourable friend Mr. Joshi is open to serious objections, and that the Bill if it becomes law may have the effect of defeating the purpose with which Mr. Joshi proposes to get it placed on the Statute-book. There is no reason why people generally should receive direct encouragement to do illegal acts. In the case of a certain class of workmen, the Legislature agreed to a concession in the Trade Unions Act passed in 1926, because they felt that by taking that action they would encourage the growth of trade unions in this country on proper lines. That is one thing, but to give the same concession to a body of irresponsible people improperly organised or not organised at all is a different matter. I therefore want at this stage to put in a clear caveat that in the opinion of the Government,

[Sir Bhupendra Nath Mitra.]

as they understand the position at present, this Bill is open to serious objection and they may have to oppose it very definitely at later stages. At the same time they have no desire to oppose the particular motion which has been made by my friend Mr. Joshi at the present stage.

Mr. President: The question is:

"That the Bill further to amend the Indian Penal Code be circulated for the purpose of eliciting opinions thereon."

The motion was adopted.

THE HINDU MARRIAGES DISSOLUTION BILL.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muham-madan): Sir, I beg to move for leave to introduce a Bill to remove certain doubts regarding the dissolution of marriages of persons professing the Hindu religion.

One word will suffice to convince this House why this Bill is necessary. I have cited *Narad* and *Vashisth*, whose Smritis are of the most revered authorities on Hindu law, in support of my measure, but the municipal courts, that is the civil courts, have in a large number of cases decided that they do not possess any jurisdiction to decide questions of marital law arising between Hindus and my Bill will give the courts that power. If the House gives me leave later on, I intend to add one clause to this Bill, to give civil courts jurisdiction to declare a dissolution of marriage in such cases. For the present I will rest content to ask leave to introduce the Bill.

The motion was adopted.

Sir Hari Singh Gour: Sir, I introduce the Bill.

THE HINDU LAW OF INHERITANCE (AMENDMENT) BILL.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muham-madan): Sir, I beg to move for leave to introduce a Bill to alter the order in which certain heirs of a deceased Hindu dying intestate are entitled to succeed to his estate.

I need scarcely say that this is a companion Bill to that which this House just now passed. The object of that Bill was to enact a law to remedy the exclusion of certain persons from inheritance. The object of this Bill is to let in relations of a person as heirs. Both these Bills were circulated in 1921 and passed by this House without a division, but they met the fate to which I have referred, in another place. This is a revival of the Bill of 1923, and I ask this House to concur in its introduction.

The motion was adopted.

Sir Hari Singh Gour: Sir, I introduce the Bill.

THE INDIAN LIFE ASSURANCE COMPANIES (AMENDMENT) BILL.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadian Rural): Sir, I beg to move for leave to introduce a Bill to provide for putting certain foreign Life Insurance Companies doing business in India, on a footing of equality with others, in certain respects, by withdrawing certain special facilities now given to the former.

The object is sufficiently stated in the Statement of Objects and Reasons.

Sir, I move.

The motion was adopted.

Mr. N. C. Kelkar: Sir, I introduce the Bill.

THE HINDU MARRIAGES DISSOLUTION BILL.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadian): Sir, I move that the Bill to remove certain doubts regarding the dissolution of marriages of persons professing the Hindu religion, be circulated for the purpose of eliciting opinions thereon.

The House has already heard from me the reason why I introduced this Bill to remove certain doubts regarding the dissolution of marriages, and I hope the House will concur in the motion I now make.

Sir, I move.

The motion was adopted.

THE HINDU LAW OF INHERITANCE (AMENDMENT) BILL.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadian): Sir, I move that the Bill to alter the order in which certain heirs of a deceased Hindu dying intestate are entitled to succeed to his estate be taken into consideration.

I have already given reasons for this Bill. It was passed by this Assembly in 1923, and for reasons which I have stated was not passed by the other House. I ask that this House should reaffirm its decision of 1923.

The Honourable Mr. J. Crerar (Home Member): Sir, I have only a few observations to make on this motion. The Government are prepared to leave it to the sense of the House. In their own opinion the matter involved in this Bill has in the past been one of considerable controversy. They themselves considered that legislation on these lines should be enacted in the provinces. So far as the presidency towns are concerned, I admit that probably it is *ultra vires* of provincial Councils to enact legislation of this kind so far as the area subject to the original jurisdiction of the High Courts are concerned. If such a case arose the Government of India would be prepared to consider the desirability of any necessary validating

[Mr. J. Crerar.]

legislation. However, if the House wish to proceed to the consideration of this Bill as a measure of the Indian Legislature, subject to the remarks I have made, Government are prepared to leave it to the general sense of the House.

Mr. President: The question is:

“That the Bill to alter the order in which certain heirs of a deceased Hindu dying intestate are entitled to succeed to his estate be taken into consideration.”

The motion was adopted.

Clauses 2, 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

Sir Hari Singh Gour: Sir, I move that the Bill be passed

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 26th March, 1928.

LEGISLATIVE ASSEMBLY.

Monday, 26th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN:

Mr. D. G. Mitchell, C.I.E., M.L.A. (Government of India: Nominated Official.)

QUESTIONS AND ANSWERS.

NUMBER OF TRAFFIC INSPECTORS IN THE NORTH WESTERN RAILWAY.

498. ***Pandit Hirday Nath Kunzru:** (a) Will the Government state the number of Traffic Inspectors in the North Western Railway?

(b) How many of these are (i) Indians, (ii) Anglo-Indians, and (iii) Europeans?

Mr. A. A. L. Parsons: (a) Thirty-six.

(b) The information in the possession of Government in regard to communal representation on the North Western Railway will be found in Appendix I in Volume I and Appendix C in Volume II of the Report on Indian Railways for 1926-27, a copy of which is in the Library. The statistics were formulated in this form after consultation with, and acceptance by, the Central Advisory Council for Railways, and Government do not consider it desirable to supplement them by details regarding individual offices or posts.

Pandit Hirday Nath Kunzru: May I ask whether information with regard to Traffic Inspectors is specifically given in the Railway Report?

Mr. A. A. L. Parsons: No, Sir. The reason why I have not given that information is because Government do not consider it desirable to supplement the figures given in the appendices by details regarding individual offices or posts.

Pandit Hirday Nath Kunzru: What is the objection, Sir, to supplying the information in answer to a question here?

Mr. A. A. L. Parsons: Inquiries of the nature which the Honourable Member asks me to undertake are likely to create, where it does not exist, or to embitter, where it already exists, that communal tension which is so undesirable among men who are working together day by day. It is for this reason that the Railway Board are most averse, as the Honourable Member will be aware from many answers that I have given, from

supplementing the general statistics with statistics with regard to individual offices. (Applause from the Official Benches.)

Pandit Hirday Nath Kunzru: May I ask whether Government, in order to remove this tension, have made any attempts during the last three or four years to appoint Indians as Traffic Inspectors on the North Western Railway?

Mr. A. A. L. Parsons: I do not think that question arises, Sir, and I must ask for notice.

Pandit Hirday Nath Kunzru: May I ask whether, in response to the pressure put by the Assembly during the last four years, Government have done anything to increase the employment of Indians as Traffic Inspectors?

Mr. A. A. L. Parsons: I must again ask for notice. The Honourable Member will not expect me to keep the figures in my head.

Pandit Hirday Nath Kunzru: May I ask the Honourable Member whether it is a fact that out of the total number of Traffic Inspectors there are only two Indians holding posts permanently as Traffic Inspectors?

Mr. A. A. L. Parsons: I have already informed the Honourable Member that I am not aware of the figures.

Mr. M. R. Jayakar: May I ask whether the appointment of Indians as Traffic Inspectors is included in the Government scheme of Indianization?

Mr. A. A. L. Parsons: I am afraid I do not understand the Honourable Member's question. Traffic Inspectors are not superior officers.

Mr. M. R. Jayakar: Whenever occasion has arisen in this House, Government have said that they have undertaken slowly but surely the scheme of Indianization, and I want to know from the Honourable Member whether the appointment of Indians as Traffic Superintendents—I mean as Traffic Inspectors—is included in the scheme of Indianization.

Mr. A. A. L. Parsons: Sir, the question does not relate to Traffic Superintendents; and the scheme of Indianization to which the Honourable Member refers is that relating to the Indianization of the superior services, while these Traffic Inspectors hold subordinate posts.

Mr. M. R. Jayakar: Then they are not included in the scheme of Indianization?

Mr. A. A. L. Parsons: Certainly not, Sir.

Pandit Hirday Nath Kunzru: May I ask whether any instructions have recently been issued to the Agent, North Western Railway, to appoint Indians as Traffic Inspectors?

Mr. A. A. L. Parsons: Not so far as I am aware, Sir.

FUTURE PROSPECTS OF TRAFFIC PUPILS RECRUITED BY THE NORTH WESTERN RAILWAY FOR TRAINING IN TRANSPORTATION AND COMMERCIAL DUTIES.

499. **Pandit Hirday Nath Kunzru:** (a) Is it a fact that the North Western Railway announced in 1926 that "in future a certain number of traffic pupils will be recruited annually for training in Transportation and Commercial duties? Was it laid down that the pupils would receive training of three years' duration?

(b) What is the number of "traffic pupils" recruited in December, 1926, and what are their educational qualifications? Have any of them received training in England?

(c) What are the future prospects of these pupils? Is it intended to appoint them as Traffic Inspectors?

(d) Have any "traffic pupils" been recruited since December, 1926? If not, why not?

Mr. A. A. L. Parsons: I am enquiring from the Agent, North Western Railway, and will communicate with the Honourable Member later.

GRANT OF FREE QUARTERS, ETC., TO HEADMISTRESSES OF EUROPEAN PRIMARY SCHOOLS ON THE EAST INDIAN RAILWAY.

500. **Pandit Hirday Nath Kunzru:** (a) Are the headmistresses of European primary schools on the East Indian Railway generally provided with free quarters? Are they also provided like the teachers of the Oakgrove School with board, lodging, light and washing free of charge?

(b) How many teachers of Indian high or middle schools are provided with free quarters and allowed the concessions given to the teachers of the Oakgrove School?

Mr. A. A. L. Parsons: (a) The headmistresses of European primary schools on the East Indian Railway are generally provided with free quarters. They are not provided with board and washing free of charge, but in some cases receive light free at the expense of the school.

(b) Nine teachers of Indian high or middle schools are provided with free quarters, and two receive an allowance from school funds in lieu of quarters. None of them receive board light or washing free of charge.

REPLACEMENT OF THE INDIAN STATION MASTER AT CHHEOKI BY AN ANGLO-INDIAN STATION MASTER, ETC.

501 **Pandit Hirday Nath Kunzru:** (a) Is it a fact that Naini and Chheoki stations (near Allahabad) had Indian station masters for years past?

(b) Has the Indian station master at Chheoki been replaced by an Anglo-Indian station master recently? Has it further been decided to combine the posts of station masters of Naini and Chheoki? If so, why?

(c) What was the salary of the Indian station masters at Chheoki and Naini and what is the salary of the Anglo-Indian station master?

(d) What is the respective length of service of the Indian station master of Naini transferred to the reserve list and of the Anglo-Indian station master?

Mr. A. A. L. Parsons: Government have no information

The postings of station masters are left to the Transportation authorities.

NUMBER OF EUROPEANS, ANGLO-INDIANS AND INDIANS RECRUITED AS APPRENTICE DEPÔT STORE KEEPERS ON THE EASTERN BENGAL RAILWAY.

502. *Pandit Hirday Nath Kunzru: (a) How many Europeans, Anglo-Indians and Indians have been recruited as Apprentice Depôt Store Keepers on the Eastern Bengal Railway during the last five years?

(b) What are the requisite qualifications for this work?

(c) What are the qualifications of Europeans, Anglo-Indians and Indians recruited during the last 5 years?

Mr. A. A. L. Parsons: (a) In 1923 one European was recruited as an Apprentice Depôt Store Keeper on the Eastern Bengal Railway. He has since left the service. No others were recruited during the past 5 years and no further recruitment is now being made.

(b) The qualifications sought were good general education and personal qualities judged by selection.

(c) The Apprentice Depôt Store Keeper recruited in 1923 possessed Senior Cambridge Honours and was appointed by selection.

†503—506.

LEAVE AND PENSION CONDITIONS OF MEMBERS OF THE BAR APPOINTED TO INDIAN CIVIL SERVICE POSTS.

507. *Pandit Hirday Nath Kunzru: (a) With reference to the answer given by Government to starred question No. 1199 on the 20th September, 1927, that members of the Bar appointed direct to listed posts enjoy the status of members of an All-India Service, will Government state whether judges recruited from the Bar are governed by the same leave rules as members of the Provincial Civil Service?

(b) What are the rules relating to the pensions of Judges recruited directly from the Bar?

(c) Is any remission of service allowed to them in consideration of the age at which they may be recruited as is done in the case of the judicial branch of the Provincial Civil Service?

The Honourable Mr. J. Crerar: (a) Yes.

(b) and (c). Their pensions are regulated by the general rules in Articles 465-A, 474, 474-A and 475-A of the Civil Service Regulations with the special concession that officers with not less than 10 years' actual qualifying service are allowed to add to their qualifying service for superannuation pension the actual period not exceeding ten years by which their age at recruitment exceeds 25 years.

LISTING OF THE 51 SUPERIOR POSTS TO BE THROWN OPEN TO THE PROVINCIAL EXECUTIVE AND JUDICIAL SERVICES.

508. *Pandit Hirday Nath Kunzru: (a) With reference to the answers given by Government to starred questions Nos. 1246 and 1247, on the 28th March, 1927, will Government state what progress has been made

† For these questions and their answers, see pages 1951-1953 of these proceedings.

with regard to the listing of the 51 superior posts which remained to be thrown open to the members of the Provincial Executive and Judicial Services in accordance with the recommendations of the Lee Commission?

(b) What is the final decision arrived at by Government in consultation with the Public Service Commission with regard to the period during which the proportion of posts to be occupied by the members of the Provincial Services in accordance with the recommendations of the Lee Commission should be reached?

The Honourable Mr. J. Crerar: (a) Since the 1st January 1927, 4 additional posts have been listed.

(b) As regards the period within which it is intended to complete the process I must again refer the Honourable Member to part (c) of the answer given on the 24th March, 1926, to a question put by Mr. Neogy. The point referred to the Public Service Commission was how far progress could be accelerated without unfair treatment of existing members of the Service. Instructions based on the Commission's advice have now issued to Local Governments.

Pandit Hirday Nath Kunzru: Am I to understand, Sir, that the Public Service Commission has made a definite recommendation to Government with regard to the listing of some of the superior posts?

The Honourable Mr. J. Crerar: The Commission have given advice with regard to how progress can be accelerated.

Pandit Hirday Nath Kunzru: Then what is the total number of years in which it is expected that all these posts will be filled by Provincial Service men?

The Honourable Mr. J. Crerar: I think the Honourable Member will find that dealt with in the answer which I have already quoted.

Pandit Hirday Nath Kunzru: Is the Honourable Member aware, Sir, that in answer to a question of mine it was stated by Sir Alexander Muddiman last year that even the period during which these posts were to be occupied by Indians was under consideration and would be decided after consultation with the Public Service Commission?

The Honourable Mr. J. Crerar: I am afraid I cannot add to the reply which I have given.

SENIORITY OF MEMBERS OF THE PROVINCIAL CIVIL SERVICES PROMOTED TO LISTED POSTS.

509. ***Pandit Hirday Nath Kunzru:** With reference to the answer given by Government to starred question No. 1248, dated 28th March, 1927, will Government state what orders have been passed with regard to the seniority of the members of the Provincial Civil Services promoted to listed posts?

The Honourable Mr. J. Crerar: The matter is still under the consideration of the Public Service Commission, and no orders have so far been passed.

Pandit Hirday Nath Kunzru: May I ask whether any representations have been received from members of the Provincial Services?

The Honourable Mr. J. Crerar: I understand, Sir, representations have been received and are under consideration.

Pandit Hirday Nath Kunzru: Is it open to the Public Service Commission to invite the views of members of the Provincial Services?

The Honourable Mr. J. Crerar: Members of the Provincial Services are quite well aware of the fact that it is open to any one of them to submit any representation they choose.

Pandit Hirday Nath Kunzru: My question was whether it is open to the Public Service Commission to invite representations from the members of the Provincial Services?

The Honourable Mr. J. Crerar: I must refer the Honourable Member to the Functions Rules of the Public Service Commission.

Pandit Hirday Nath Kunzru: As the rules do not make that point clear, may I ask for specific information on this particular point?

The Honourable Mr. J. Crerar: I should have to examine that question with regard to the contents of the Functions Rules, and I must ask the Honourable Member to give notice.

RECRUITMENT OF 20 PER CENT. OF THE INDIAN CIVIL SERVICE FROM THE PROVINCIAL CIVIL SERVICES.

510 ***Pandit Hirday Nath Kunzru:** (a) Are Government aware that the Lee Commission recommended that 20 per cent. of the recruits required annually for the Indian Civil Service should be drawn from the Provincial Civil Services?

(b) Do Government recognise that this recommendation involves that the members of the Provincial Civil Services should occupy 20 per cent, not merely of the superior posts but of all posts included in the cadre of the Indian Civil Service? If so, what steps are being taken to give effect to this recommendation?

The Honourable Mr. J. Crerar: (a) No. The recommendation of the Lee Commission on this point was not clearly expressed. After careful consideration Government concluded that their intention was to extend the existing system of listed posts and not to introduce a wholly new method of recruitment.

(b) Does not arise.

Pandit Hirday Nath Kunzru: May I ask, Sir, how Government have arrived at that interpretation?

The Honourable Mr. J. Crerar: I think if the Honourable Member will examine the report carefully, he will observe that on the assumption that a totally new kind of recruitment is contemplated it was to be expected that the Commission would have dealt more fully with the reasons which underlay such a recommendation. As a matter of fact, it did not do so. I may add further that the interpretation which Government have put

upon the recommendation of the Lee Commission has been confirmed by two members of the Commission.

Pandit Hirday Nath Kunzru: Are Government aware that the Lee Commission have dealt with the annual recruitment and not the number of superior posts and have said that 80 per cent. of the recruits should be obtained by competition in England and India and 20 per cent. should be drawn from the members of the Provincial Civil Services?

The Honourable Mr. J. Crerar: I think, however, there is no doubt whatever that the intention of the Commission was that there should be recruitment from the Provincial Service to 20 per cent. of the superior posts.

Lieut.-Colonel H. A. J. Gidney: Is the Honourable Member aware that this is the only Provincial Service that is denied entrance into the superior service?

The Honourable Mr. J. Crerar: I am afraid I did not quite catch the Honourable Member's question.

Lieut.-Colonel H. A. J. Gidney: In regard to recruitment into the superior services, the Provincial Civil Service is the only provincial service that is denied, according to the Honourable Member's interpretation of the recommendations of the Lee Commission, a 25 per cent. entrance into the superior Civil Service.

The Honourable Mr. J. Crerar: No; I do not think the Honourable Member is correct in the suggestion.

Pandit Hirday Nath Kunzru: Am I to understand, Sir, that the decision of Government is to appoint members of the Provincial Civil Service only to superior posts and not to the inferior posts?

The Honourable Mr. J. Crerar: That, Sir, is the intention.

Pandit Hirday Nath Kunzru: Have any representations been received from any Provincial Service against this decision of Government?

The Honourable Mr. J. Crerar: Representations have been received dealing with the general question, but I am not, without examining the representations in detail, in a position to say whether that particular point has been dealt with.

Pandit Hirday Nath Kunzru: May I know the grounds on which Government have arrived at the decision not to appoint members of the Provincial Service to inferior posts, as that would enable them to enter the higher service at an early stage of their career and thus imbibe the spirit of that service?

The Honourable Mr. J. Crerar: My own opinion is that it is in the interests of the Provincial Service that appointment should be made to superior posts.

Pandit Hirday Nath Kunzru: I did not quite catch the answer.

Mr. President: Will the Honourable Member repeat the answer?

The Honourable Mr. J. Crerar: I replied to the Honourable Member's question that I considered myself that recruitment to superior posts was definitely in the interests of the Provincial Service itself.

Pandit Hirday Nath Kunzru: What is the practical number of years of service after which members of the Provincial Services are appointed to superior posts?

The Honourable Mr. J. Crerar: That is a very comprehensive question, of which, I think, I must ask for notice.

APPOINTMENT OF MUSLIM DEPARTMENTAL OFFICIALS AS SUPERINTENDENTS OF POST OFFICES.

511. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state whether it is a fact (a) that not a single Muslim departmental official has been appointed so far as Superintendents of Post Offices during the period for which the records are available in the office of the Director-General of Posts and Telegraphs, (b) that Mr. Sadat Ali Khan, the 16th man in the list of qualified departmental officials corrected up to the 15th November, 1927, will be the first Muslim to be so appointed, (c) that he has got to wait for his chance for a further period of about 3 years under the present system to get a permanent appointment, (d) that there will be a gap for a further period of about 3 years before another Muslim departmental official gets a chance after Mr. Sadat Ali Khan's appointment, (e) that it will take about 10 years or even more for the five Muslim departmental officials out of 47 candidates on the list to get permanent appointments under the present system of seniority in the list?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) No.

(c), (d) and (e). The Honourable Member is referred to my reply on the 7th March, 1928, to his question No. 360.

APPOINTMENT OF DEPARTMENTAL OFFICIALS AS SUPERINTENDENTS OF POST OFFICES.

512. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state (a) whether it is a fact that appointments of departmental officials in the cadre of Superintendents of Post Offices are made on the basis of seniority contained in a Government order which is applicable alone in cases of promotion of clerks from the lower to a higher clerical cadre only? And if the replies be in the affirmative, (b) why should this order be made applicable in cases of appointments of departmental officials to the posts of Superintendents of Post Offices which are distinctly in the officers' line?

The Honourable Sir Bhupendra Nath Mitra: (a) The Honourable Member is referred to my reply to part (b) of his question No. 360 in this House on the 7th March, 1928.

(b) Does not arise.

APPOINTMENT OF DEPARTMENTAL OFFICIALS AS SUPERINTENDENTS OF POST OFFICES.

513. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state whether it is a fact (a) that there is no distinct Government order that departmental officials will be appointed as Superintendents of Post Offices strictly in order of seniority in the list instead of on the basis of communal representation, (b) that nominations to sit for the departmental examination

for the Superintendent's appointments are given to the subordinates of the Posts and Telegraph Department after a careful consideration of the merits and suitability of the candidates? If the replies to (a) and (b) be in the affirmative, (1) what further proof of merit is expected of the Muslim departmental officials besides passing the departmental examination, and (2) why their cases should not be considered simultaneously with their Hindu brethren at the time of the appointment of departmental officials to the posts of Superintendents of Post Offices every year?

The Honourable Sir Bhupendra Nath Mitra: (a) The fact is not as stated by the Honourable Member. The orders of Government are that where promotion from subordinate ranks is made by selection according to merit, it is not possible to discriminate on the ground of race or community.

(b) Yes. With regard to the last part of the question (1) the same proof of merit is expected from the Muslim departmental officials who have passed the departmental examination as from others, namely, that they have shown administrative ability, industry and energy while officiating as Superintendents of Post Offices in short vacancies. (2) the Honourable Member is referred to the last part of the reply given to his question No. 358 in this House on the 7th March, 1928.

APPOINTMENT OF MUSLIMS AS SUPERINTENDENTS OF POST OFFICES.

514. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state whether it is a fact (a) that there are only about 34 Muslims as against about 192 Hindus and a few others (including probationary Superintendents) in the cadre of Superintendent of Post Offices, (b) that under the present system only about one-third of half the total number of vacancies in a year reserved for outsiders goes to Muslims, (c) that the other half reserved for departmental men goes entirely to Hindus and a few other non-Muslims (d) that during the course of about the next ten years about 40 Hindus and a few other non-Muslim departmental officials will be appointed as Superintendents of Post Offices as against only five Muslims in the waiting list, (e) that the number of Muslims in the cadre of Superintendents is very disproportionate, and (f) that under the present system of recruitment the communal inequality in the cadre of Superintendents can never be redressed unless either (1) the entire number of vacancies reserved for outsiders goes to Muslims, or (2) every third vacancy filled up by departmental officials goes to a Muslim departmental official?

If the replies to (a), (b), (c), (d), (e) and (f) be in the affirmative, why the Muslim Departmental officials, who have passed the Departmental examination and are considered fit for the appointment of Superintendent of Post Offices, should not be appointed as Superintendents of Post Offices on communal basis as in the case of Probationary Superintendents?

The Honourable Sir Bhupendra Nath Mitra: (a) The fact is not as stated by the Honourable Member. The total sanctioned number of Superintendents of Post Offices is 180, and the total sanctioned strength of probationary Superintendents is 15. The total number is thus 195 including probationary Superintendents. Of these, 35 are Muslims, 100 are Hindus, 57 are members of other minority communities, viz., Sikhs, Parsis, Anglo-Indians, etc. There are three vacancies.

(b) $\frac{1}{3}$ of half the total number of vacancies in a year reserved for outsiders would not necessarily go to Muslims but would be utilised in order to prevent a preponderance of any one class or community.

(c) The other half of the vacancies goes by promotion to departmental officials who have passed the departmental examination and are considered suitable for the appointment, irrespective of the community to which they belong.

(d) Government are not able to say what will happen in the course of the next 10 years, but according to the existing waiting list 35 Hindus, 5 Muslims and 5 others would in the course of time become Superintendents, if they were considered suitable.

(e) As will be seen from the reply to part (a), the number of members of minority communities in general or of Muslims in particular in the cadre of Superintendents is not "very disproportionate", as stated by the Honourable Member.

(f) In view of the reply to part (e) this does not arise.

With regard to the last part of the question, the Honourable Member is again referred to the last part of my reply to his question No. 358 in this House on the 7th March, 1928.

APPOINTMENT OF MUSLIM DEPARTMENTAL OFFICIALS AS SUPERINTENDENTS OF POST OFFICES.

515. *Mr. Anwar-ul-Azim: Will the Government be pleased to state whether it is considered as a disqualification to be in Government service at the time of appointing Superintendents of Post Offices? If not, why the Muslim departmental officials should not get the same privilege as Muslim outsiders?

The Honourable Sir Bhupendra Nath Mitra: No. Vacancies in the cadre of Superintendents of Post Offices are filled alternately by the appointment of a selected departmental official who has passed the departmental examination for Superintendent of Post Offices and of a probationary Superintendent who has been recruited direct. Accordingly Muslim departmental officials equally with non-Muslim departmental officials cannot be appointed to posts which are meant for outsiders.

GRANT OF CASUAL AND OTHER KINDS OF LEAVE TO THE STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

516. *Mr. Anwar-ul-Azim: Will the Government be pleased to state whether it is a fact (a) that great difficulty is experienced by the staff of the Director-General of Posts and Telegraphs in getting casual and other kinds of leave, (b) that even for a short period of casual leave the official is required to produce a medical certificate, (c) that officials who have not enjoyed even a few days' casual leave in the course of the year have been denied the leave and given leave only on average pay, and (d) that applications for such leave have to be submitted through the office Superintendent? If the replies to (a), (b), (c) and (d) be in the affirmative, why the applications should not be submitted direct to the branch officers concerned?

Mr. H. A. Sams: (a), (b) and (c). No.

(d) Applications for casual leave are not submitted through the Chief Superintendent but only applications for other kinds of leave.

In view of the above replies the last part of the question does not arise.

DIFFICULTY EXPERIENCED BY THE STAFF OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS IN GETTING PERMISSION TO LEAVE THE STATION EVEN ON LEAVE ON MEDICAL CERTIFICATES, ETC.

517. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state whether it is a fact (a) that great difficulty is experienced by the staff of the office of the Director-General of Posts and Telegraphs in getting permission to leave the station even on leave on medical certificate and on gazetted or local holidays, (b) that in all these cases applications have to be submitted through the office Superintendent? If the replies to (a) and (b) be in the affirmative, why such applications should not be submitted direct to the branch officers concerned?

Mr. H. A. Sams: (a) No.

(b) Yes. According to the prescribed office procedure all applications for leave are submitted to the Deputy Director-General through the Chief Superintendent and branch officers concerned. The Chief Superintendent is responsible for the proper distribution of staff for work and for office discipline.

FILLING UP OF VACANCIES IN THE "A" CADRE OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

518. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state (a) how many vacancies occurred in the "A" cadre in the office of the Director-General of Posts and Telegraphs since October, 1926 up to date, (b) how many of them have been offered to Hindus, how many to Muslims and how many to others, giving the names, the dates of holding such appointments and the academical qualifications of each against their names, and (c) whether in filling up those vacancies the policy of the Government that 33 per cent. of the vacancies should go to Muslims was adhered to? If the answer to (c) be in the negative, why so?

Mr. H. A. Sams: (a) 10.

(b) A statement giving the information required is being supplied to the Honourable Member.

(c) The Honourable Member's attention is drawn to the reply given to his starred question No. 352 on the 7th March, 1928. The last part of the question does not arise.

FILLING UP OF VACANCIES IN THE "A" CADRE OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

519. ***Mr. Anwar-ul-Azim:** Is it a fact that (a) between November and December, 1926, three vacancies in the "A" cadre in the office of the Director-General of Posts and Telegraphs were filled up by Hindus disregarding the claims of a Muslim graduate who was then a temporary clerk in the office, (b) that three vacancies between June and November

1927 occurred in the same cadre which were also given to Hindus overriding the claims of permanent Muslim graduates in the " B " cadre who were recommended for promotion by their respective branch officers?

Mr. H. A. Sams: (a) Yes, the particular Muslim graduate referred to was appointed to a vacancy in the B class as he was not considered at the time to have had enough experience for the A cadre to which he has subsequently been promoted.

(b) The facts are not as stated by the Honourable Member. Out of the 3 vacancies referred to one was given to a Hindu and 2 were absorbed.

FILLING UP OF VACANCIES IN THE " A " CADRE OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

520. ***Mr. Anwar-ul-Azim:** Is it a fact (a) that the office Superintendent of the office of the Director-General of Posts and Telegraphs puts up the list of candidates for promotion to or confirmation in " A " cadre to the senior Deputy Director-General of Posts and Telegraphs, (b) that up till now he has not given a favourable note for a Muslim candidate?

Mr. H. A. Sams: (a) Yes

(b) No.

OFFICIATING ARRANGEMENTS IN THE " A " CADRE OF CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

521. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state (a) under what circumstances officiating arrangements in the " A " cadre are made in the office of the Director-General of Posts and Telegraphs, (b) whether permanent " B " class clerks and leave reserves who also hold permanent appointments in the " B " cadre are entitled to hold such officiating appointments or only the temporary clerks who have no status in the office?

Mr. H. A. Sams: (a) Officiating arrangements in the " A " cadre of clerks now designated "Upper Division" are made when vacancies are caused by permanent incumbents going on deputation or leave on medical certificate after the leave reserve is exhausted.

(b) No one is entitled to officiate in a vacancy. The most suitable candidate is appointed.

OFFICIATING ARRANGEMENTS IN THE " A " CADRE OF CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS SINCE 1924 UP TO DATE.

522. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state (a) how many officiating arrangements have been made in the office of the Director-General of Posts and Telegraphs since 1924 up to date in the " A " cadre, (b) how many of them have been offered to Hindus, how many to Muslims and how many to others, showing the period of such officiating appointments enjoyed by each clerk with his name and status in the office?

Mr. H. A. Sams: The information is being compiled and will be communicated to the Honourable Member in due course.

OFFICIATING ARRANGEMENTS IN THE " A " CADRE OF CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS SINCE 1924 UP TO DATE.

523. ***Mr. Anwar-ul-Azim:** Is it a fact (a) that since 1924 up to date or during the period for which records are available most of the temporary Hindu clerks of the office of the Director-General of Posts and Telegraphs who were subsequently made permanent in the " A " cadre enjoyed officiating appointments in that cadre throughout before being made permanent in that cadre, (b) that not a single Muslim up to date with the same academical qualifications as the Hindu clerks had the good fortune to enjoy this privilege, (c) that some Hindu clerks are still enjoying officiating appointments in the " A " cadre continuously since they have been entertained in the office as temporary hands?

Mr. H. A. Sams: The information is being compiled and will be communicated to the Honourable Member in due course.

COMPLAINTS AGAINST THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS OF ABUSE OF HIS POWERS.

524. ***Mr. Anwar-ul-Azim:** Is it a fact (a) that under the orders of the senior Deputy Director-General of Posts and Telegraphs applications for leave, permission to leave station, and promotion have to be submitted by the staff through the Chief Superintendent, (b) that complaints have been received by the Director-General, either anonymous or otherwise, against the Chief Superintendent of having abused his powers? If the replies to (a) and (b) be in the affirmative, why the Superintendent should not be deprived of all his powers and privileges and the powers vested in branch officers?

Mr. H. A. Sams: The answer to (a) is in the affirmative and to (b) is in the negative. The Chief Superintendent is responsible for the work and discipline of the staff and it is essential that all such applications should come through him. He is not however the sanctioning authority in respect of leave and promotion.

SONS AND RELATIVES OF THE CHIEF SUPERINTENDENT OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS EMPLOYED IN THAT OFFICE.

525. ***Mr. Anwar-ul-Azim:** Will the Government be pleased to state how many sons and relatives of the present office Superintendent of the office of the Director-General of Posts and Telegraphs are employed in that office giving their names, the nature of their relationship to the Superintendent and the nature of the appointments they hold in the office?

Mr. H. A. Sams: Three, viz., his son and two relatives (sons of sisters in-law). The former is Mr. B. C. Ghosh, a clerk in the Lower Division, and the latter are (1) Mr. S. N. Sen, B.Sc., an assistant in the Upper Division, and (2) Mr. S. K. Roy, a temporary clerk on Rs. 80 per mensem.

TOTAL STRENGTH OF THE MINISTERIAL STAFF IN THE OFFICE OF THE AUDIT OFFICER, INDIAN STORES DEPARTMENT.

526. ***Mr. Anwar-ul-Azim**: Will the Government be pleased to state:

- (a) what the total strength of the ministerial staff is in the office of the Audit Officer, Indian Stores Department,
- (b) how many of the ministerial staff are Hindus, how many Muhammadans, how many Sikhs and how many Christians,
- (c) the total strength of the ministerial staff as it was in each of the years 1925, 1926 and 1927,
- (d) the number of Muhammadans in the ministerial staff in December 1923, and what it was in December 1927,
- (e) how many additional appointments were created during the last 3 years and how many Muhammadans were taken in them? If none, why?

INADEQUATE REPRESENTATION OF MUHAMMADANS IN THE OFFICE OF THE AUDIT OFFICER, INDIAN STORES DEPARTMENT.

527. ***Mr. Anwar-ul-Azim**: (a) Will the Government be pleased to state what the number of Bengali Hindus is in the ministerial staff of the office of the Audit Officer, Indian Stores Department?

(b) Is it a fact that Bengali Hindus form 85 per cent. of the total staff in that office and if so, why?

(c) Is it a fact that most of the men employed in that office are relatives of the Audit Officer or those of his friends?

(d) Are Government aware that no Muhammadan accountant, clerk or typist has ever been taken in that office from the date of its creation although half a dozen new appointments were created in the past for that office every year?

(e) Are Government aware that out of 85 men there is only one Muhammadan in the ministerial staff of that office?

(f) Will Government be pleased to state whether newly created posts were advertised in the newspapers so as to give a chance to the members of all communities to apply for appointments? If not, why not?

REPRESENTATION OF MUHAMMADANS IN THE OFFICE OF THE AUDIT OFFICER, INDIAN STORES DEPARTMENT.

528. ***Mr. Anwar-ul-Azim**: (a) Are Government aware that the Audit Officer, Indian Stores Department, told one of the high officers that if compelled to recruit minority communities for his office he would take Sikhs and not Muhammadans and Christians?

(b) Are Government aware that some of the clerks engaged in that office did not pass even the Matriculate Examination although they are known in that office as graduates?

(c) Will the Government be pleased to state why no Muhammadan has been appointed during the last few years by the Audit Officer and why no step has so far been taken to check or to set right the wrong done?

NON-RECRUITMENT OF MUHAMMADANS BY THE AUDIT OFFICER, INDIAN STORES DEPARTMENT.

529. ***Mr. Anwar-ul-Azim:** (a) Will the Government be pleased to state since how long the Audit Officer, Indian Stores Department, is holding the present appointment and for how long is he likely to hold it? Is there at present no suitable European or Anglo-Indian Audit Officer to replace him?

(b) Are Government aware that the Audit Officer, who is a Bengali Hindu, has so far disregarded all Government circulars issued from time to time for the recruitment of Muhammadan candidates and is bent on doing favours to Hindus as well as Sikhs?

The Honourable Sir Basil Blackett: I propose to reply to questions Nos. 526 to 529 together.

Enquiry is being made and information will be supplied to the Honourable Member in due course.

NUMBER OF MUSLIM INSPECTORS IN THE DELHI POST OFFICE.

530. ***Mr. Anwar-ul-Azim:** (a) Will the Government be pleased to state the number of Muslim Inspectors in the Delhi Post Office?

(b) Is it a fact that an official named Durga Charan of Delhi, who was once prosecuted in a loss case at Rawalpindi Post Office and was let off on account of some legal flaws, was appointed Town Inspector, Delhi? If it is so, why?

(c) How many times the present Town Inspectors of the Delhi Post Office went on leave for more than a month during the last 6 years and how many Muslims and Hindus were trained in their places?

Mr. H. A. Sams: (a) There is no Muslim Inspector at present in the Delhi Post Office.

(b) Babu Durga Charan of Delhi was prosecuted in the year 1920 and was acquitted. He was appointed by the Postmaster-General, Punjab, to act as Town Inspector, Delhi, in the year 1921 and was subsequently made permanent in 1924. Government do not propose to inquire into this appointment which took place some years ago, as they have no reason to believe that the appointing officer did not satisfy himself about the fitness of the official from all points of view before making him a permanent Inspector.

(c) Only one Inspector went on leave during the last 6 years and a Muslim clerk was appointed to act for him. I may inform the Honourable Member that clerks are not ordered to act as Town Inspectors for purposes of training.

TRAINING OF INDIANS FOR EMPLOYMENT IN THE DEPARTMENT OF CIVIL AVIATION.

531. ***Dr. B. S. Moonje:** (a) Will the Government be pleased to state if it is the policy of the Government to man the Department of Civil Aviation with Indians only trained beforehand as need may arise in England or elsewhere for expert service?

(b) If so, is it intended to make provision for scholarships for training 10 Indians only in England for expert service spread over seven years in the manner described in 522 and 523 of the proceedings of the meeting

of the Standing Finance Committee, 26th January, 1928 (afternoon). Vol. VII, No. 10, to supply the needs of the rapidly growing department of Civil Aviation?

The Honourable Sir Bhupendra Nath Mitra: (a) The Honourable Member will realise from the scheme of scholarships which was recently approved by this House that it is the intention of Government to train Indians for employment in the Department of Civil Aviation. No assurance can, however be given at present that only Indians will be so employed; in fact, with the approval of this House, provision has been made in the Budget for 1928-29 for the attachment of a Royal Engineer Officer to the staff of the Director of Civil Aviation for a period of 2 years, and for the appointment of a British Aircraft and Engine Inspector on a short term contract.

(b) So far as can be seen at present the output of trained men which the scholarship scheme will provide will meet the anticipated requirements of the Department of Civil Aviation. If unforeseen developments occur it may be necessary to expand the scheme at a future date.

Dr. B. S. Moonje: Do Government propose to establish any kind of institution for the training of Indians as pilots in India?

The Honourable Sir Bhupendra Nath Mitra: No, Sir. Government have no intention at present of starting any institution in India for that purpose.

Munshi Iswar Saran: What is the duration of "at present", may I know?

The Honourable Sir Bhupendra Nath Mitra: I am not a prophet, Sir.

Sir Walter Willson: May I, Sir, put question No. 532, standing in the name of Sir Darcy Lindsay?

Mr. President: Has the Honourable Member been authorised to put that question?

Sir Walter Willson: Yes, Sir.

CAPITAL OUTLAY ON RAILWAY COLLIERIES.

532. **Sir Walter Willson** (on behalf of Sir Darcy Lindsay): (a) Will Government state what proportion of Capital outlay on Railway Company and State collieries applies to purchase of properties and cost of railway line to colliery as against development and equipment?

(b) Does the item "working expenses" as given in Appendix B, pages 182-183 of the Report of the Railway Board, 1926-27, include overhead charges such as cost of headquarter staff, local supervision, insurance, replacements and similar charges?

(c) What provision, if any, is made for general depreciation?

(d) Are Government again prepared to consider the importance of maintaining a system of commercial accounting in connection with these collieries as was strongly recommended by Sir Arthur Dickinson?

(e) Is it a fact that raisings are at present being reduced as coal can be purchased in the open market at rates more favourable than the costing to certain of the Railway Collieries?

(f) Do Government contemplate leasing or disposing of any of the collieries to private enterprise?

(g) Is the present policy of the Railway Board to restrict the further development of the Railway Collieries?

Mr. A. A. L. Parsons: (a) I am seeing if I can obtain the information for the Honourable Member.

(b) I am sending the Honourable Member a statement showing the main items of working expenses in the accounts of the East Indian Railway collieries and of the Great Indian Peninsula Railway colliery at Kargali.

(c) A sinking fund is utilised for the eventual extinguishment of the capital cost of the collieries when the mines are completely worked out. As the colliery contributes towards the reserve for this sinking fund, there is no necessity for an additional depreciation fund. The charge in this connection is debitable to the working account at the rate of 0-3-0 per ton on the gross output in the case of Kurhurbahes, Serampore and Kargali Collieries and 0-1-6 per ton in the case of Bokaro Joint Colliery.

(d) The system of colliery accounting as recommended by Sir Arthur Dickinson is now under consideration.

(e) The position is as stated in paragraph 33 of the Explanatory Memorandum on the Railway Budget.

(f) No.

(g) Our present intentions were disclosed in the paragraph of the Memorandum on the Railway Budget which I have already mentioned.

COMPLAINTS AGAINST THE GENERAL TONE OF THE LADY HARDINGE MEDICAL COLLEGE AND HOSPITAL, DELHI.

533. ***Sir Hari Singh Gour:** (1) (a) Has the attention of the Government been drawn to a leading note and an article from a correspondent published in the *Hindustan Times*, dated the 15th November, 1927, making serious complaints against the general tone of the Lady Hardinge Medical College Hospital for women and children, in Delhi?

(b) If so, what action has been taken on them; if not, why not?

(2) (a) Are the Government aware that there have been numerous complaints contained in the interpellations by several Honourable Members of this House against the management of this Institution, during the last five years?

(b) Will the Government be pleased to state how many Principals have there been since the establishment of the College, and is it a fact that no similar complaints were made during the incumbency of other Principals, but that the complaints have been repeated only during the incumbency of the present Principal?

(3) Will the Government be pleased to place on the table a copy of the replies to my questions Nos. 977, 978, 981-982, 984, dated the 13th September, 1927?

Mr. G. S. Bajpai: (1) (a) Government have seen the statements referred to by the Honourable Member.

(b) The matter was referred to the Governing Body of the Lady Hardinge Medical College for report and it has been ascertained from the Honorary Secretary that the allegations made in the communications which the Honourable Member has mentioned have no foundation.

(2) (a) Government are aware that numerous interpellations have been asked by Honourable Members in the past, but such interpellations have dealt with several matters, such as the composition of the Governing Body, the representation of Indians on the staff, etc., and not solely or mainly with the internal management of the institution.

(b) There have been only two permanent Principals since the establishment of the College, though several persons have acted in short vacancies. Government are not in a position to state whether complaints against the internal management of the College were not made during the period of administration of other Principals. To answer this part of the question accurately, researches will have to be made into the papers in the possession of Government, the Governing Body of the Lady Hardinge Medical College and the College Staff which could not be commensurate with the importance of any results that may accrue from such investigation. If the Honourable Member wishes to draw attention to any specific matters, it is suggested that he should address the Governing Body of the Lady Hardinge Medical College direct or send the communication to Government who will be glad to pass it on to the Governing Body.

(3) Yes.

Information supplied to Sir Hari Singh Gour in connection with his questions Nos. 977, 978, 981, 982 and 984, dated the 13th September, 1927.

Question No. 977.—(a) Since 1924 seven permanent posts on the superior staff of the College have become vacant. Six of those posts have been filled by officers of the Women's Medical Service, two of whom are Indians and four Europeans. One of the latter is a graduate of the College itself. The post of Professor of Physiology is still vacant. Professorships on the staff are filled by members of the Women's Medical Service as that involves a saving to the College—only the professional allowances being payable by the College, the salaries being paid by the Countess of Dufferin's Fund. I would add that Government gave no undertaking, as suggested by the Honourable Member, but stated the policy of the Governing Body of the College who make appointments to the staff.

(b) I have already explained that professorships are generally filled by officers of the Women's Medical Service, for reasons of economy. The post of Professor of Physiology was advertised by the Countess of Dufferin's Fund as there was no sufficiently qualified physiologist on the cadre of the Women's Medical Service. No suitable candidate has yet applied for the vacancy.

(c) Yes. The post has been advertised both in India and in England. No Indian lady has so far applied but if one with requisite qualifications does apply, the Governing Body will give her preference.

Question No. 978.—(a) Yes.

(b) Yes. But charges are made only from patients in cottage wards and in what are designated European cubicles or wards which are used by persons living in the European style. Charges are levied from patients in outpatients Department only for special consultation undertaken at the request of either the patients themselves or of their male relations.

The charges for surgical operations are :—

(1) *Cottage Wards.*

- Rs. 5 if the family income is below Rs. 200.
- Rs. 10 if the family income is from Rs. 200 to Rs. 399
- Rs. 25 if the family income is from 400 to Rs. 599.
- Rs. 50 if the family income is from Rs. 600 to Rs. 699.
- Rs. 75 if the family income is from Rs. 700 to Rs. 799.
- Rs. 100 if the family income is from Rs. 800 to Rs. 1,499.
- Rs. 200 if the family income is from Rs. 1,500 or more.

(2) *"European" Wards.*

- Rs. 30 if the family income is below Rs. 400.
- Rs. 40 if the family income is from Rs. 400 to Rs. 499.
- Rs. 50 if the family income is from Rs. 500 to Rs. 599.
- Rs. 75 if the family income is from Rs. 600 to Rs. 699.
- Rs. 100 if the family income is from Rs. 700 to Rs. 999.
- Rs. 150 if the family income is from Rs. 1,000 to Rs. 1,499.
- Rs. 200 if the family income is from Rs. 1,500 or more.

No charges are made in the general wards and purdah cubicles where 200 beds are available for entirely free treatment.

(c) The relations of patients admitted to the Hospital are permitted to occupy serai quarters at a charge of four annas a day per quarter. No one has a right to occupy quarters in the serai free of charge.

(d) The Institution was founded by contributions made by both Indian princes and the Indian people to provide for the training in medicine of Indian women.

(e) In March 1923, Kanwar Maharaj Singh, C.I.E., was a member of the Governing Body and its Honorary Secretary at the time.

(f) The matter is the concern of the Governing Body who can revise the rules if they consider it necessary.

Question No. 981.—(a) The number of ladies who have graduated from the College since its institution is 40. The graduates of the College are given preference in making appointments to posts of House Surgeons and Assistants to Professors in the College.

(b) and (c). The following scale of pay has been fixed :—

Assistants to Professors—Rs. 250—20—350 with free furnished quarters.

House Surgeons—Rs. 200 with annual increments of Rs. 15 and free furnished quarters. The maximum of the scale has not yet been fixed.

Question No. 982.—(a) and (b). So far as Government are aware the Countess of Dufferin's Fund give the same scale of pay to graduates of the Lady Hardinge Medical College as to outsiders. The scale of pay in the services maintained by the Fund is as follows :—

Women's Medical Service (Senior Branch).

	Rs.
1—3 years	450
4—6 „	500
7—9 „	550
10—12 „	600
13—15 „	650
16—18 „	700
19—21 „	750
22—24 „	800
24 years and after	850

In addition overseas allowances at the rate of Rs. 100 or Rs. 150 according to length of service are given to officers possessing British or other overseas qualifications.

Junior Women's Medical Service.

	Rs.
4th grade 1—5 years	130
3rd grade 6—10 „	165
2nd grade 11—15 „	200
1st grade 16 years	250

(c) About 20 to 25 applications for admission to the Lady Hardinge Medical College are rejected every year for the following reasons:—

(1) Lack of necessary educational qualifications.

(2) Receipt of applications after every possible vacancy has been filled.

Question No. 984.—(c) Since the foundation of the Lady Hardinge Medical College 40 graduates in all have qualified from that institution. Of these 14 are employed in various Dufferin Hospitals, 4 in the Women's Medical Service and its Training Reserve, 5 in the College itself and 7 in Government or Indian State Hospitals; 2 graduates have gone abroad presumably for purposes of study, 5 are in private practice; 1 is married, 1 is dead and the whereabouts of 1 are not known.

ELIGIBILITY FOR PROMOTION OF UNQUALIFIED PERMANENT CLERKS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ITS ATTACHED OFFICES.

534. *Sir Hari Singh Gour: With reference to the reply of the Government to my question No. 1079 (d), dated the 19th September 1927, promising to consider the question of the eligibility for promotion of unqualified permanent clerks in the Government of India Secretariat and its attached offices, will the Government be pleased to state whether any decision has been come to; if so, to what effect; and if not, when is it likely to decide this question?

The Honourable Mr. J. Crerar: The question is being considered in connection with certain recommendations made by a Departmental Conference convened by the Government of India to consider the general question of recruitment to the ministerial establishments. A decision is likely to be arrived at within the next few months.

GRANT OF CONVEYANCE ALLOWANCE TO CLERKS OF THE IMPERIAL SECRETARIAT AND ATTACHED OFFICES LIVING OUTSIDE NEW DELHI.

535. *Sir Hari Singh Gour: (a) Are the Government aware that a large percentage of clerks employed in the Imperial Secretariat and its attached offices have to live in Old Delhi as no accommodation is available for them in New Delhi, and as accommodation for clerks as for other officers in New Delhi is underbuilt?

(b) Are the Government aware that these clerks have to travel long distances to attend their offices in New Delhi, and that when the Secretariat was located in Old Delhi they were conveyed in motor lorries or given conveyance allowance to attend their offices?

(c) Is it a fact that clerks residing at Moree Gate, Subzimandi, Kashmir Gate, etc., a distance of about 4 miles, are not given any such facilities which are limited only to those residing in other localities within the Notified Area?

(d) Have the Government fixed any reasonable distance beyond which conveyance, or an allowance in lieu thereof, is not admissible? If not, why not?

The Honourable Mr. J. Crerar: (a) About 44 per cent. of clerks have not been provided with Government quarters in New Delhi. Some of them, however, live in New Delhi either in private houses or by arrangement with other clerks in Government quarters. The rest are scattered in the Notified Area, city, Paharganj, etc.

(b) When the Secretariat Offices were located in the Notified Area conveyance allowances were granted to those living in New Delhi and making their own arrangements to attend office, but not to those living in the city, etc.

(c) and (d). Conveyance allowance is granted only to those clerks who having applied for but not been provided with Government quarters in New Delhi live in the Notified Area and have to attend office in New Delhi. In areas such as Paharganj, Sabzimandi and in the city generally which are within comparatively easy reach of the new Secretariat suitable accommodation is available and Government do not feel justified in granting similar concession to clerks living there. I would add that some of the clerks live in the city by choice. Conveyance allowance is not ordinarily granted to officers to attend office.

CONDITIONS OF HOUSE ACCOMMODATION FOR MILITARY OFFICERS IN PESHAWAR.

536. ***Pandit Hirday Nath Kunzru:** (a) Are Government aware that section 8 (2) of the Cantonments (House Accommodation) Act lays down that the Officer Commanding a district should not issue a notice for the appropriation of houses under section 7 (2) of the Act if a sufficient number of suitable houses are already available for occupation by military officers or messes?

(b) Has the Muslim Association, Peshawar Cantonments, made representations to Government complaining of the violation of the section 8 (2) by the local military authority? If so, what action have Government taken on its representations?

(c) Are Government aware that a notice has been issued for the appropriation of Bungalow No. 2, Roos Keppel Lane, Peshawar, which has always been let and leased to military officers since it was built and is even now available for their residence? Are they aware that a similar notice has been issued in respect of Bungalow No. 2, Campbell Road?

(d) Is it a fact that the proceedings of the local military authority are both against the law and against the administrative instructions issued by the Quartermaster General in India to General Officers Commanding Divisions in 1920?

(e) Are Government aware that although questions relating to the rent and repairs of the houses have not been settled yet by a Committee of Arbitration, the Deputy Commissioner, Peshawar, has authorised the military authorities to take forcible possession of one of the houses?

(f) What action do Government propose to take in the matter and generally to protect the rights of house-owners in the Peshawar Cantonments?

Mr. G. M. Young: I have already informed the House that an officer is being deputed to enquire into the conditions of house accommodation for military officers in Peshawar. The officer is at the moment conducting his enquiries in Peshawar and has taken a copy of this question with him. When I receive his report, I will give the Honourable Member a full reply.

Pandit Hirday Nath Kunzru: May I ask the Honourable Member, Sir, whether the acquisition of the houses in question would be stopped pending the report of the special officer?

Mr. G. M. Young: No application to that effect has been made.

Pandit Hirday Nath Kunzru: The Honourable Member was not very audible but I am afraid he has not understood my question. I want to know whether the acquisition of the houses mentioned in the question will be stopped pending the receipt of the report of the special officer.

Mr. G. M. Young: Until I receive the report of the special officer, I shall not be in possession of the facts.

Pandit Hirday Nath Kunzru: In the meanwhile, will the acquisition of the houses be stopped? I am not asking the Honourable Member what action Government will take on the report of the special officer.

Mr. G. M. Young: How can I say, when I do not even know that acquisition is going on?

Pandit Hirday Nath Kunzru: I have not been able to hear the Honourable Member, Sir. May I request you to ask the Honourable Member to repeat his answer?

Mr. President: Mr. G. M. Young.

Mr. G. M. Young: What I said was, how can I inform the Honourable Member whether acquisition will be stopped when I do not know whether it is going on? I have not received the report of the special officer.

Mr. K. Ahmed: Will the Honourable Member kindly take immediate steps to expedite his inquiry and call for the report at once?

Pandit Hirday Nath Kunzru: Did not the Honourable Member, after receipt of this question, inquire whether the houses in question are being acquired or not?

Mr. G. M. Young: Full inquiry in regard to this matter is being made by the officer, who is in Peshawar to-day.

Pandit Hirday Nath Kunzru: What about the houses that are being acquired now? The special officer might give relief to the owners of the houses in the Peshawar Cantonments in the future, but what about those houses that are being acquired now?

Mr. G. M. Young: I shall hear all about that when the special officer sends in the report which he is writing to-day.

Pandit Hirday Nath Kunzru: Will the Government be prepared to give this report retrospective effect?

Mr. G. M. Young: I cannot say anything until I have seen the report and know what the effect is going to be.

Mr. President: Mr. Kikabhai Premchand.

The Revd. J. C. Chatterjee: May I have your permission, Sir, to put the question on his behalf?

Mr. President: Have you his written authority to do so?

The Revd. J. C. Chatterjee: Yes, Sir.

PUBLICATION OF BAD DEBTS IN THE BALANCE SHEETS OF BANKS.

537. ***The Revd. J. C. Chatterjee** (on behalf of Mr. Kikabhai Premchand): 1. With reference to the Gazette of India, Extraordinary, dated March 29th, 1927, on the subject of the publication of bad debts for which provision has been made in the balance sheets of banks, will the Government be pleased to state:

(a) whether that notification was in response to a petition signed by certain Indian banks, and

(b) the reasons which prompted the Government to amend in this manner the legislation passed after the banking crisis of 1913?

2. Will the Government be pleased also to state if they contemplate conferring the right to put questions in this matter on a reasonable minority of shareholders and, if so, will they specify the directions in which further amending legislation is under consideration?

The Honourable Sir George Rainy: The attention of the Honourable Member is invited to the press communiqué issued by the Government of India on the 29th March, 1927, a copy of which is being sent to him.

As regards the second part of the question, the Government of India do not contemplate taking action of the nature suggested.

†538—541.

ARRANGEMENTS MADE FOR THE RECEPTION AND SETTLEMENT OF INDIAN EMIGRANTS RETURNING FROM SOUTH AFRICA.

542. ***Rao Bahadur M. C. Rajah:** (a) Will the Government be pleased to state if they have appointed a Special Officer in Madras, to look after the repatriated Indians? If the answer is in the affirmative, when? What are his duties? What is his pay?

(b) Is it not a fact that the Honourable Sir Muhammad Habibulla gave a promise to the South African Government that lands will be reserved for the repatriated Indians?

(c) If so, what is the extent of the lands reserved in the Madras Presidency? And how much of it has been already assigned to them?

(d) Is it a fact that lands reserved for the depressed classes in the Madras Presidency have been assigned to the repatriated Indians?

† For these questions and their answers, see pages 1953—1954 of these proceedings.

(e) Are the Government prepared to call for a report from this Special Officer, Madras, as to what he has done so far, and also a fortnightly report showing what he has done to justify his appointment?

Mr. G. S. Bajpai: (a) With the approval of the Government of India, the Government of Madras have appointed a Special Officer to meet Indians who may return to India from South Africa and to help them to find suitable employment. The appointment was made with effect from the 1st August, 1927, and is held by an officer of the Madras Provincial Executive Service who receives ordinary grade pay as a Deputy Collector *plus* a Presidency allowance of Rs. 100 a month.

(b) No.

(c) and (d). Government have no information but will make enquiries.

(e) A report has been called for from the Local Government regarding the work which they have done for returning emigrants from South Africa but this has not yet been received. Reports are received from the Government of Madras in regard to each batch of emigrants when they come in.

ESTATE OF MIRZA SURAIYAJAH, A MEMBER OF THE EX-ROYAL FAMILY OF DELHI.

543. ***Mr. Ismail Khan:** 1. Is it a fact that Mirza Suraiyajah, a member of the *ex*-Royal Family of Delhi, was in receipt of a political pension in addition to a compensatory pension and a *jagir*? If so, will the Government be pleased to furnish the total amount of these pensions together with the income of the *jagir* conferred upon him?

2. (a) Is it a fact that after the death of the aforesaid Shahzadah, his son was asked to establish his claim to succeed his father in a Civil Court and in the meanwhile his *jagir* was put under the Court of Wards?

(b) Is it a fact that his son obtained a decree of a competent Civil Court in his favour but died before he could execute it?

(c) Did the Court of Wards release his estate and make over the pension to his heirs after the Civil Court had decreed his claim? If not, why not?

(d) Is it a fact that after the death of the father, the daughter applied to the Honourable the Chief Commissioner of Delhi for being recognised as the head of the family and if so, was this application granted?

(e) Is it true that she is the only heir in the direct line of the late Shahzadah Suraiyajah?

(f) Are the Government aware that the Court of Wards have neither released the estate nor paid her mother's dower debt?

(g) Is it a fact that the Honourable the Chief Commissioner refused to forward her memorial to His Excellency the Viceroy?

(h) What action do the Government intend to take in this matter?

Sir Denys Bray: Enquiries are being made and I shall let the Honourable Member have the information as soon as it is complete.

FREIGHT ON LIME AND LIMESTONE ON THE OUDH AND ROHILKHAND SECTION OF THE EAST INDIAN RAILWAY.

544. ***Mr. Ismail Khan:** (a) Is it a fact that freight on lime and limestone was increased during the war on the Oudh and Rohilkhand Railway?

(b) Are the Government aware that Dehra Dun is a centre for the lime industry and exports a very large quantity annually?

(c) Is it a fact that the Railway Department had stated that the freight would be reduced to pre-war rates after the war? If so, have they given effect to this declaration?

(d) Are the Government aware that for last six years the Dehra Dun lime merchants have been unable to compete with the merchants of Sutna and Katni and Mahayar as freight rates from these places are much lower?

Mr. A. A. L. Parsons: (a) Yes.

(b) Yes.

(c) The answer to the first part of the question is in the negative. The second does not arise.

(d) Government have no information but will forward a copy of the Honourable Member's question to the Agent of the East Indian Railway.

QUESTIONS NOT PUT AT THE MEETING, OWING TO THE
ABSENCE OF THE QUESTIONERS, WITH ANSWERS THERE-
TO

TOTAL COLLECTION OF CUSTOMS DUTY AT THE VIRAMGAM CUSTOM LINE.

503. ***Sir Purshotamdas Thakurdas:** Will Government be pleased to place on the table a statement giving the total collections of customs duty at the Viramgam Custom Line since that duty was reimposed last year, up to such latest date as Government may have figures for, showing the total amount of revenue due from imports from each Port during the period, indicating—

(1) the amount of cash collected, and

(2) the amount outstanding, if any?

The Honourable Sir Basil Blackett: (1) The total amount of cash collected from the reimposition of the line in July 1927 to the end of that year was Rs. 15,801.

(2) The total amount of duty outstanding as recoverable from certain of the States in respect of imports during the same period was Rs. 21,24,340.

The Government of India regret that they are not in a position to supply figures for each of the Kathiawar ports.

CONDITION OF INDIANS IN BRITISH GUIANA.

504. ***Sir Purshotamdas Thakurdas:** Will Government be pleased to state what information they have regarding the condition of Indians in British Guiana as affected by the latest developments in British Guiana.

and will Government be pleased to make a statement to the House in connection with this threat to the rights of Indians as citizens in British Guiana?

Mr. G. S. Bajpai: The Honourable Member's attention is invited to the answer given by me to Pandit Hirday Nath Kunzru's question No. 146 and the connected supplementaries asked on the 6th February, 1928. The only subsequent development of which Government are aware is the report in the Press that a Bill has been introduced in the House of Commons empowering His Majesty's Government to alter the constitution of British Guiana by Order in Council. The Government of India propose to consult in the matter the Standing Emigration Committee of the Indian Legislature at an early date.

EDUCATION OF ILLITERATE SOLDIERS AND OFFICERS IN THE ARMY.

505. ***Mr. Mukhtar Singh:** (a) Will the Government be pleased to state the arrangements for the education of illiterate soldiers and officers who join the Army?

(b) Up to what standard is the education given?

(c) What steps are taken to see that the literacy is continued?

(d) Is there any library kept in the Army from which the soldiers can take books on loan for study?

(e) Are there any rules for the prohibition of literature, *i.e.*, books, periodicals, etc., being brought into the Army? If so, will the Government be pleased to state the rules made for this purpose and further state how these rules are enforced?

Mr. G. M. Young: (a) Education is compulsory in the ranks of the Army and forms an integral part of military training. Illiterate persons cannot join the Army as officers.

(b) The "Special" Certificate Examination, the standard of which may be taken as equivalent to that of the Matriculation Examination.

(c) The military authorities take no steps in this direction, as they are not responsible for a man's education after he has left the Army.

(d) Units are given an educational training grant from which books can be purchased.

(e) There are no such rules. The second part of the question does not arise.

LISTS OF PERIODICALS AND NEWSPAPERS ALLOWED IN THE ARMY.

506. ***Mr. Mukhtar Singh:** (a) Is there any list of periodicals and newspapers issued in the Army stating that only three periodicals and newspapers can be allowed to enter into the Army? If so, will the Government be pleased to state if this rule applies only in the case of British units or only Indian units? If the rule does not apply to the British units, will the Government be pleased to state the reason for this distinction?

(b) Will the Government be pleased to place on the table a copy of the lists of periodicals and newspapers that are allowed in the Army?

(c) Is such a list only advisory and suggestive or are the soldiers and officers prohibited from getting any other periodicals and newspapers not mentioned in the list?

Mr. G. M. Young: (a) The answer to the first part of the question is in the negative. There is no rule preventing the circulation of any newspaper or periodical in the Indian Army.

(b) No, Sir, as there is no newspaper or periodical which is not allowed.

(c) Does not arise.

SUPPLY OF WATER TO PASSENGERS AT BAREILLY JUNCTION, EAST INDIAN RAILWAY, BY THE SEVA SAMITI, BAREILLY.

538. **Mr. Mukhtar Singh:** (a) Is it a fact that the Seva Samiti, Bareilly, used to supply water to the passengers during the hot weather at the Bareilly East Indian Railway station till 1926?

(b) Is it a fact that the railway authorities were not contributing anything towards the expenditure involved by the said Seva Samiti?

(c) Is it a fact that the expenditure during the season put at a modest estimate was not less than Rs. 500?

(d) Is it a fact that the railway authorities stopped by order the supplying of water to passengers by the said Seva Samiti in 1927 and since then the arrangement is discontinued?

(e) If the answer to question No. (d) is in the affirmative, will the Government be pleased to state the reasons for issuing such an order?

(f) Will the Government be pleased to state the policy of the Government in this behalf?

(g) How many watermen have since been appointed at the Bareilly Junction since the permission has been withheld?

(h) Will the Government be pleased to state if they are willing to consider the advisability of giving permission again to the Seva Samiti to render this service to the passengers?

(i) Are there other stations where the permission of supplying water is given to the Seva Samities? If so, will the Government be pleased to state the conditions under which it is granted?

(j) Have Government issued any circular in this connection so that a uniform practice may be maintained on all the State-managed Railways?

Mr. A. A. L. Parsons: (a) to (c) and (g). Government have no information

(f) and (h). Government are not prepared to encourage the supply of water at stations by private associations. But since the Honourable Member's questions suggest that the Railway's arrangements for the supply of drinking water at Bareilly may need looking into, I am asking the Agent to see whether any action is necessary.

(i) Permission to supply water at certain stations was allowed to the Seva Samiti in the year 1922, but the Government have no information as to the present position in this regard or as to the conditions attached.

(j) No.

THE NAZUL OFFICE OF THE DELHI PROVINCE.

539. ***Mr. Mukhtar Singh:** (a) Will the Government be pleased to state since when the Nazul Office has been separately established and maintained in the Delhi Province? Will the Government be further pleased to state the circumstances under which the necessity of running a separate office and a department was felt?

(b) Is it a fact that all the responsible posts such as those of the Nazul Officer, Nazul Superintendent, Nazul Tahsildar and Nazul Girdawar are held by Muslims? If the answer be in the affirmative, will the Government be pleased to state its reasons for doing so?

(c) Will the Government be pleased to state the number of patwaris working under the Nazul Officer in Delhi? How many of them are Muslims?

ENCROACHMENT BY THE MUSLIM INHABITANTS ON THE NAZUL LANDS IN DELHI.

540. ***Mr. Mukhtar Singh:** Is it a fact that Nazul lands have been encroached upon in Delhi by the Muslim inhabitants at several places and especially in Kishanganj and no action has so far been taken in the matter? Are the Government prepared to make an enquiry into the matter at an early date and remove this complaint?

HEAD CLERK OF THE NAZUL OFFICE, DELHI.

541. ***Mr. Mukhtar Singh:** (a) Is it a fact that a head clerk was appointed in the Nazul Office, Delhi, in 1926 from outside ignoring all the clerks employed in the Office? If so, will the Government be pleased to state the special qualifications found in this gentleman on account of which he has been so exceptionally treated?

(b) Is it a fact that the said gentleman had no previous experience of the revenue work?

(c) Was this post advertised and applications invited and candidates selected for it? If not, why such a procedure was adopted?

(d) Is it a fact that again in 1928, the said gentleman was promoted to the post of Superintendent of Nazul?

Mr. G. S. Bajpai: With your permission, Sir, I propose to answer questions Nos. 539, 540 and 541 together.

The information asked for by the Honourable Member is being collected and will be supplied to the Honourable Member in due course.

UNSTARRED QUESTIONS AND ANSWERS.

GRANT OF A SPECIAL ALLOWANCE IN LIEU OF THE OVERSEAS ALLOWANCE TO INDIAN OFFICERS OF THE SOUTH INDIAN RAILWAY.

440. **Mr. V. V. Jogiah:** Will Government please state:

(a) Whether when the policy of entertaining Indians as officers in the South Indian Railway was laid down the Home Board of Directors of that Railway in 1916 resolved that it was

undesirable that any distinction should be made in the matter of pay between Indians and Europeans who were to be employed in the same grades?

- (b) Whether in consequence thereof the Indian officers were placed in the same grades and drew the same scales of pay as European officers and had the same standard of promotion to look forward to?
- (c) Whether after overseas allowance was sanctioned in 1920 to European officers, the question of the grant of a similar sum to Indian officers already in service was considered and whether the Board ruled in 1922 that similar special allowances should be sanctioned in the case of such Indian officers?
- (d) Whether the Indian officers drew such allowances in consequence thereof even with retrospective effect from 1920—the date from which the overseas allowance was sanctioned to European officers?
- (e) Whether on or about February, 1926, the Railway Board in sanctioning the extension to officers in the South Indian Railway of what is generally known as the Lee Concessions specifically ordered that existing incumbents of Asiatic domicile should be allowed to continue to draw the scales of pay that they were drawing?
- (f) Whether the concerned officers benefited by these orders?
- (g) Whether at that time there were only four such officers and the amount involved is not appreciable?
- (h) Whether similar allowances have not already been allowed in the case of such officers in other Railway systems? and
- (i) Whether the Railway Board intend to sanction the allowances to the four officers?

Mr. A. A. L. Parsons: (a) and (b). Government have not been able to identify the resolution to which the Honourable Member alludes, but at the time of the introduction of overseas allowance in 1920, there was no distinction between Indian and European officers employed in the same grade.

(c) When overseas allowance was introduced in 1920, the Board of Directors of the South Indian Railway decided that Indian officers then in employ should not be given overseas allowance but should be given a special allowance equivalent to overseas allowance which would cease on promotion to a higher grade

(d) Government understand that this was the case.

(e) Yes. This, however, did not override the condition that the special allowance, which had been granted to Indian officers in employ when overseas allowance was introduced would cease on promotion to a higher grade.

(f) Government have no reason to believe that the decision has not been correctly applied by the South Indian Railway Administration.

(g) Government are not aware of the actual number of officers who were granted the special allowance when overseas allowance was introduced in 1920.

(h) The Honourable Member is referred to replies given on the 2nd February, 1927, to Mr S. Shesha Iyengar's questions Nos. 254 and 255 in which the position was fully explained.

(i) Government cannot intervene.

REMOVAL OF THE IMPORT DUTY ON SULPHATE OF COPPER.

441. **Sir Walter Willson:** (a) Will Government please state whether it is a fact that almost the whole of the sulphate of copper imported into India is used for spraying rubber trees?

(b) If the answer is in the affirmative, have they considered the advisability of transferring sulphate of copper to the list of free imports? If not, are they prepared to do so?

The Honourable Sir George Rainy: Government are not in a position to state whether almost the whole of the sulphate of copper imported into India is used for spraying rubber trees. The question of removing the import duty on this article will be considered on the receipt of the Report of the Royal Commission on Agriculture which is examining the general question of tariff concessions in aid of agriculture.

PAY AND PROSPECTS OF THE CLERICAL STAFF OF THE GOVERNMENT OF INDIA PRESS, DELHI.

442. **Mr. N. M. Joshi:** (a) Will the Government be pleased to state if they received a memorial dated 10th August, 1925, from the clerical staff of the Government of India Press, Delhi, regarding their low pay and prospects and, if so, what action was taken thereon to redress the grievances set forth in the memorial?

(b) Is it a fact that a reorganisation of the establishment of the Government of India Press, Delhi, was sanctioned by the Government in March or April 1927, and, if so, will the Government be pleased to state if any action was taken to ameliorate the conditions of service of the clerical staff?

(c) Is it a fact that before the revision the upper scale in that Press was Rs. 44—3—110, but in the reorganisation it was changed to Rs. 60—3—105? If so, will the Government be pleased to state in what manner the long service clerks drawing over Rs. 60 per mensem have been benefited and also state the reason for reducing the maximum of the scale?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. The memorial was considered and the pay of the clerical staff was revised.

(b) The answer to both parts is in the affirmative.

(c) The answer in the affirmative. The prospects of the men drawing over Rs. 60 p.m. in the scale of Rs. 44—3—110 were improved by the increase in the number of higher clerical posts. The rates of pay were fixed with reference to the nature of work and local conditions.

APPLICATION OF THE SCALES OF PAY OF THE STAFF IN THE GOVERNMENT OF INDIA PRESS, CALCUTTA, TO THE STAFF OF THE GOVERNMENT OF INDIA PRESS, DELHI.

443. **Mr. N. M. Joshi:** (a) Is it a fact that up to March, 1923, the Government of India Press, Delhi, was a branch of the Calcutta Press and

that the clerical scales in both the Presses were one and the same? If so, will the Government be pleased to state why better scales of pay were introduced in the Calcutta Press in 1925 and why these scales were not applied to the Delhi Press staff?

(b) Is it a fact that in the general reorganisation of the Government of India Presses in 1920 the clerical scales for both the Delhi and Calcutta Presses were equal? If so, why has differential treatment been accorded to the Delhi staff in the latest revision?

(c) Is it a fact that in the Calcutta Press revision in 1925 the initial pay of the clerical staff was fixed after taking into account past service or 40 per cent. increase of pay, whichever was less? If so, why was not the same procedure adopted in the case of the Delhi Press clerical staff?

(d) Is it a fact that the pay of the industrial staff such as Section Holders, Readers, etc., and the piece rates for operatives are equal in both the Calcutta and Delhi Presses? If so, what is the reason for differentiating in the pay of the clerical staff in the two Presses?

(e) Will the Government be pleased to state why the scale of pay of the General Foreman was reduced from Rs. 200—10—300 to Rs. 175—10—225 and the charge allowance attached to the post of Head Reader withdrawn?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. Revised scales of pay were sanctioned for the Calcutta Press to suit local conditions but were not extended to the Delhi Press as the conditions there are different.

(b) The answer to the first part is in the affirmative. As regards the second part the Honourable Member is referred to the reply given to part (a) above.

(c) Yes. The reply to the second part is the same as that to the second part of (b) above.

(d) The pay of some of the industrial staff and the piece rates are the same in the Calcutta and Delhi Presses. Strictly speaking, the Delhi rates in these cases should be somewhat lower than the Calcutta rates and the point will be kept in view in connection with any future revisions of these rates.

(e) The scale of pay of the General Foreman was reduced on account of the decrease in his duties and responsibilities due to the creation of a new post of Assistant Manager. The incumbent of the post was however given a personal pay to safeguard him from any loss. The charge allowance of the Head Reader has not so far been withdrawn from the present incumbent of the post but will be withdrawn when the post falls vacant, as it is considered that the rate of pay sanctioned for the post is adequate for the duties and responsibilities attaching to it.

SLAUGHTER OF COWS AND BULLOCKS FOR MILITARY REQUIREMENTS.

444. **Mr. Siddheswar Sinha:** Will the Government be pleased to state the number of (1) oxen, (2) cows, (3) buffaloes, (4) calves slaughtered for military food during the last three financial years?

Mr. G. M. Young: Approximately 63,750 cows and 25,500 bullocks are killed every year for military requirements. As has often been explained before, no calves and no buffaloes are slaughtered in military butcheries.

RESOLUTION OF THE ASSEMBLY REGARDING THE BACKWARD TRACTS OF BIHAR AND ORISSA.

445. **Mr. Siddheswar Sinha:** Will the Government be pleased to state reasons for not giving effect to the Resolution passed by the Legislative Assembly last year regarding the backward tracts of Bihar and Orissa?

The Honourable Mr. J. Crerar: The Honourable Member is referred to the reply which was given by Sir Alexander Muddiman to his starred question No. 885 on the 12th March, 1927.

COMPLAINT AGAINST SURVEY OF INDIA PARTIES IN BIHAR AND ORISSA.

446. **Mr. Siddheswar Sinha:** (a) Have the Government received any complaints that men sent out in certain districts of Bihar and Orissa by the Survey of India Department are unnecessarily harassing people? If the reply be in the affirmative, will the Government be pleased to state the steps taken or intended to be taken to remedy this? If the reply be in the negative, will they be pleased to enquire?

(b) Are the Government aware that trees belonging to private individuals are cut down by these men and no price paid for them?

Mr. G. S. Bajpai: (a) and (b). The Government of India have no information as to any such complaints having been made. They have consulted both the Local Government and the Surveyor General, but neither of those authorities is aware of any such complaints.

LEASING OUT BY THE EXECUTIVE OFFICER OF SABATHU OF CANTONMENT LANDS WITHOUT OBTAINING WRITTEN LEASES FROM THE LESSEES.

447. **Pandit Thakur Das Bhargava:** (a) Is it necessary to obtain written leases from the lessees of Cantonment lands under the rules on the subject?

(b) Is it a fact that the Executive Officer of Sabathu has leased out lands without obtaining written leases and the lessees have erected structures even on the land so leased?

Mr. G. M. Young: I propose to answer questions Nos. 447 and 449 together.

I am making enquiries and will let the Honourable Member know the result as soon as possible.

COMPLAINTS AGAINST THE EXECUTIVE OFFICER OF SABATHU CANTONMENT.

448. **Pandit Thakur Das Bhargava:** (a) Is it a fact that many complaints have been received against the conduct of the Executive Officer of Sabathu and some grievances against that officer were brought to the notice of the Deputy Inspecting Officer?

(b) If the answer is in the affirmative, what action has been taken against the said officer if the complaints were found to be well founded?

Mr. G. M. Young: I am making enquiries and will let the Honourable Member know the result as soon as possible.

LEASING OUT OF CANTONMENT LAND IN SABATHU TO L. RAGHUBARDAS,
WITHOUT OBTAINING ANY WRITTEN LEASE FROM HIM.

†449. **Pandit Thakur Das Bhargava:** Is it a fact that Cantonment land in Sabathu has been given to L. Raghubardas, son of Jamnadas, without obtaining any written lease and without any consideration for the lease?

CONSTRUCTION OF THE PROPOSED BHIWANI-ROHTAK RAILWAY.

450. **Pandit Thakur Das Bhargava:** By what time will the construction of the proposed Bhiwani-Rohtak Railway begin and how long will it take to finish it?

Mr. A. A. L. Parsons: It is hoped to commence construction next cold weather and complete the line by December 1929

ACTION TAKEN ON THE TARIFF BOARD REPORT ON THE TEXTILE INDUSTRY.

451. **Pandit Thakur Das Bhargava:** Do the Government propose to take any action in pursuance of the recommendations of the Tariff Board Report on the Textile Industry?

The Honourable Sir George Rainy: As the Honourable Member is no doubt aware, the Government of India have already given effect to the recommendations which they have been able to accept. They have also brought to the notice of the Government of Bombay the recommendations with which the Local Government are concerned. There remains therefore no further action for the Government of India to take

OPENING OF THE RAILWAY FROM HAPUR TO LUXAR.

452. **Mr. Mukhtar Singh:** Will the Government be pleased to state as to when it is likely to open the Railways from Hapur to Luxar? Up to what stage the proposal for taking up the construction of this line has been reached?

Mr. A. A. L. Parsons: It has been found that an alternative alignment from Gurmakhtesar, with a branch from Meerut, will fit in better with other railway projects to the south. The report and estimates are expected shortly and will be examined as soon as they are received.

THE CHANDPUR BIJNORE RAILWAY.

453. **Mr. Mukhtar Singh:** (a) Will the Government be pleased to state by what time the Chandpur and Bijnore Railway line is likely to be taken up?

(b) Is it a fact that the Bijnore Railway station has been proposed to be constructed at about 2 miles away from the city of Bijnore?

(c) If it is so, have the Government taken into consideration the difficulties and inconveniences of the passengers by constructing the railway station at such a great distance from the city?

(d) Have the Government taken into consideration the motor traffic in the Bijnore district and that if the railway station is built at such a long distance the income of the railways will be considerably curtailed?

Mr. A. A. I. Parsons: (a) to (d). The information is being obtained and will be supplied to the Honourable Member on receipt.

PURCHASE OF ENVELOPE-MAKING MACHINES FOR THE GOVERNMENT OF INDIA PRESS AT ALIGARH.

454. **Pandit Thakur Das Bhargava:** (a) Is it a fact that four envelope-making machines were ordered for the Government Press at Aligarh (formerly the Postal Press) in 1922 at a cost of Rs. 55,000?

(b) Were these machines not used till the end of 1926?

(c) If the answer is in the affirmative, will the Government please state why these machines were purchased long before they were actually required?

(d) Is it a fact that these orders were prematurely placed in the interest of the British manufacturers of these machines?

(e) Has any machine out of these four been disposed of? If so, when and at what price and why?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Yes.

(c) The machines could not be used earlier owing to the delay in the completion of the building in which they were to be installed.

(d) No.

(e) No.

PURCHASE OF FOLDING, PERFORATING, BOOK-SEWING AND MONOTYPE CASTING MACHINES FOR THE GOVERNMENT OF INDIA PRESS AT ALIGARH.

455. **Pandit Thakur Das Bhargava:** 1. Is it a fact that a folding machine was purchased for the Government Press at Aligarh in 1923 for about Rs. 7,000 but the same was not used and was subsequently disposed of after few years?

2. (a) Is it a fact that a perforating machine was purchased for the said Press in 1920 for about Rs. 2,000, but it is still lying idle?

(b) Will the Government be pleased to state why this perforating machine was purchased when no use could be made of it for 7 or 8 years?

3 (a) Is it a fact that a book-sewing machine was also purchased for that Press in 1921 at a cost of Rs. 5,000?

(b) If so, is it a fact that the machine was not unpacked till 1925?

(c) If the answer to the two previous questions is in the affirmative, will the Government state why this machine was purchased four years in advance of the requirements?

4 (a) Is it a fact that a monotype casting machine was ordered for the same Press in 1924 at a cost of Rs. 11,000?

(b) For what purpose was this machine purchased?

(c) Was it used in the Aligarh Press? If so, for how long?

(d) Is it a fact that the machine has been disposed of as being not required?

The Honourable Sir Bhupendra Nath Mitra: 1 Yes: the machine was brought into use in 1926 but as it was found that better use could be made of it at the Delhi Press it has since been transferred to Delhi

2. (a) Yes, but the possibility of transferring it to another press is being considered.

(b) The perforating machine was ordered for anticipated work at a time when the capabilities of the Rotary machines for perforating were not fully realized.

3. (a) Yes.

(b) Yes.

(c) The Honourable Member is referred to the reply given by me to part (c) of his question No. 454.

4. (a) Yes.

(b) For the printing of Telephone Directories for the Post and Telegraph Department

(c) and (d) No The printing work referred to in (b) above was transferred to the Government of India Press, Delhi, and the machine was also transferred to that Press.

EDUCATIONAL QUALIFICATIONS OF THE ASSISTANT MANAGER AND HEAD CLERK OF THE GOVERNMENT OF INDIA PRESS AT ALIGARH.

456. **Pandit Thakur Das Bhargava:** (a) Is it a fact that the Manager of the Government Press, Aligarh, holds charge of the Postal Workshop as Superintendent in addition to his own duties?

(b) Is it a fact that the Manager finds little time to attend to the Press business and has to devote most of his time to the Workshop and his Head Clerk and Assistant Manager practically run the Press?

(c) What are the educational qualifications of the Assistant Manager and the Head Clerk?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) No All administrative duties except those of a purely routine nature are attended to by the Manager himself. The Head Clerk has nothing to do with the management of the Press

(c) The Assistant Manager has practical printing experience of 25 years. The Head Clerk has clerical experience of 22 years.

SALE OF WASTE PAPER AT THE GOVERNMENT OF INDIA PRESS AT ALIGARH.

457. **Pandit Thakur Das Bhargava:** (a) Will the Government be pleased to state if any tenders are invited in the Aligarh Press for the sale of waste paper?

(b) Is it a fact that in 1926 a contract was entered into with a firm for the sale of waste paper at the rate of Rs. 1-9-0 per maund?

(c) If the answer is in the affirmative, will the Government be pleased to state if it is a fact that 2,000 maunds of waste paper was sold to a Lucknow firm for Rs. 600 only instead of at the rate of Rs. 1-9-0 per maund? If so, why?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Yes.

(c) A quantity of rain sodden and dirty paper, much less than 2,000 maunds in weight, which had been lying in the Press for some time was sold for Rs. 500

DISSATISFACTION AMONG THE HINDU EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS AT ALIGARH.

458. **Pandit Thakur Das Bhargava:** (a) Is it a fact that there is great dissatisfaction among the Hindu employees of the Aligarh Press on account of the unfair treatment in the matter of departmental promotions meted out to the Hindu employees by the Head Clerk and the Assistant Manager?

(b) Is it a fact that the Controller of Printing, Stationery and Stamps, brought the fact of the existence of discontent to the notice of the Government in his last inspection note?

(c) Is it a fact that the Manager of the Press has passed an order to the effect that 50 per cent. of the appointments in the clerical establishment must be held by Moslems? If so, are the orders in conformity with Government instructions?

The Honourable Sir Bhupendra Nath Mitra: (a) No such complaint has been received from the Hindu employees of the Aligarh Press. As a matter of fact departmental promotions are made entirely by the Manager and not by the Head Clerk or the Assistant Manager.

(b) The Controller mentioned that the employees of the Press wished to submit petitions direct to him but were informed that their petitions would be duly considered if submitted in writing through the Manager.

(c) The answer to the first part of the question is in the negative. The second part of the question does not therefore arise.

CONSTRUCTION OF A STORM DRAINAGE CHANNEL NEAR THE LAHORE RAILWAY STATION.

459. **Mr. Abdul Haye:** (a) Will the Government please say whether the North Western Railway intend to make any storm drainage channel somewhere near the Lahore railway station and throw it into Chhota Ravi known as Nala?

(b) Is it a fact that the proposed channel will run through the rapidly growing new Abadi of the Civil Station in the areas of suburbs of Lahore known as Naulakha Bela, Basti Ram, Chah Miran, etc.?

(c) Is it a fact that the course for the proposed channel has been changed several times during the last 2 or 3 years?

(d) Is it a fact that these changes of zigzag nature have mostly cut up several estates and lands of various proprietors into triangles and such small plots which are entirely useless to the proprietors?

(e) Has the Government considered that the construction of such a drainage channel through these areas will be a menace to health and safety of the public residing in these areas?

(f) Has the Public Health Department of the Punjab Government been consulted on the point? If not, why not?

(g) Is it a fact that no notice for the proposed acquisition was ever given to the proprietors and that it is also proposed to take possession of land immediately on the 13th March, 1928, without giving any time to the proprietors to submit their objections?

Mr. A. A. L. Parsons: (a) to (g). The information is being obtained and will be supplied to the Honourable Member on receipt.

ACCIDENT TO MR. KANSHI RAM, MAIL CLERK OF THE PESHAWAR HEAD POST OFFICE, WHILE ESCORTING MAILS.

460. **Mr. Mukhtar Singh:** (a) Is it a fact that according to the orders of the Director General of Posts and Telegraphs, postal clerks are forbidden from escorting mails from and to railway stations?

(b) Is it a fact that in defiance of the said orders mail clerks are still required to escort mails in Peshawar Head Post Office?

(c) Is it a fact that Mr. Kanshi Ram, mail clerk, met with an accident while escorting mails?

(d) Is it a fact that the said Mr. Kanshi Ram is on sick leave since the date of the accident?

(e) Will the Government be pleased to state if the accident which befell Mr. Kanshi Ram was reported by the Postmaster, Peshawar, to the Postmaster General and if not, why not?

Mr. H. A. Sams: (a) The fact is not as stated. The order of the Director-General, dated 15th February, 1926, is to the effect that, in order to avoid any possibility of dispute about the responsibilities of a mail contractor, clerks of the Department, in the absence of any special provision in the contract to the contrary, should not be deputed to accompany the mails in vehicles belonging to a contractor.

(b), (c), (d) and (e). Information is being collected and will be furnished to the Honourable Member in due course.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Messages have been received from the Council of State:

1. "I am directed to inform you that the Council of State have, at their meeting held on the 22nd March 1928, agreed without any amendments to the following Bills which were passed by the Legislative Assembly on the 19th and 21st March 1928:—

A Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1898, further to amend the Indian Paper Currency Act, 1923, and to fix rates of income-tax.

A Bill further to amend the Indian Merchant Shipping Act, 1923, in order to vest in the Governor General in Council the control of matters covered by that Act.

A Bill further to amend the Indian Tariff Act, 1894, for certain purposes.

A Bill to provide for the modification of certain import duties relating to the protection of the steel industry in British India."

[Secretary of the Assembly.]

2. "In accordance with Rule 36(1) of the Indian Legislative Rules, I am directed to inform you that the amendments made by the Legislative Assembly in the Bill further to amend the Indian Territorial Force Act, 1920, for certain purposes, and the Bill further to amend the Auxiliary Force Act, 1920, for certain purposes, were taken into consideration by the Council of State at their meeting held on the 22nd March 1928, and that the Council have agreed to the amendments."

ELECTION OF THE STANDING FINANCE COMMITTEE.

Mr. President: The Assembly will now proceed to elect Members not exceeding fourteen in number to serve on the Standing Finance Committee for the financial year 1928-29. There are 21 candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

The following Members have withdrawn their candidature:

Kumar Ganganand Sinha.

Pandit Nilakantha Das.

Mr. S. C. Mitra.

Mr. Amar Nath Dutt.

I understand other Members have also withdrawn their candidatures, viz.:

Pandit Thakur Das Bhargava,

Mr. Vidya Sagar Pandya, and

Mr. Mukhtar Singh

This leaves 14 to be elected. As the number to be elected corresponds to the number required, I declare the following 14 candidates duly elected:

Nawab Sir Sahibzada Abdul Qaiyum.

Sardar Gulab Singh.

Mr. Muhammad Ismail Khan.

Mr. Sarabhai N. Haji.

The Revd. J. C. Chatterjee.

Mian Muhammad Shah Nawaz.

Mr. Gaya Prasad Singh.

Mr. G. Sarvotham Rao.

Haji Chaudhury Muhammad Ismail Khan.

Mr. S. C. Mukherjee.

Sir Darcy Lindsay.

Mr. Arthur Moore.

Mr. G. D. Birla.

Rai Sahib Harbilas Sarda.

Mr. President: Non-official Members of the Assembly will now proceed to elect four members to serve on the Committee on Public Accounts in place of the four members, who have retired in accordance with sub-rule (4) of rule 51 of the Indian Legislative Rules. There are 8 candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

THE LAND ACQUISITION (AMENDMENT) BILL.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to move for leave to withdraw the Bill to amend the Land Acquisition Act, 1894, for certain purposes.

The reason for my making this motion is obvious, if I may use a term or phrase which has obtained a certain currency and even notoriety in the present Session. If by making this motion, however, I had really intended to withdraw the Bill altogether and to drop it, then I need not have come to this House even with this motion. Out of sight, out of mind, is a very good maxim, but the Bill is not out of my mind, it can never be out of my mind, and I do not want to put it out of sight either of this House. I do not owe an explanation in withdrawing this Bill to this House but I certainly owe one to those who collaborated with me in drawing up this Bill and also to those people outside this Assembly in whose interest the Bill was originally introduced, and therefore I hope you will bear with me for two or three minutes while I just put my reasons for withdrawing the Bill before you.

I do not mean to drop the Bill altogether but in fact to introduce it in an altered shape and form at the next Session in Simla. But I do not know whether this Assembly Session is going to be prorogued or simply adjourned, and I think I have learnt a lesson from the fate of the Reserve Bank Bill. If I want to introduce my Bill again at the next Session, I shall certainly have to ask for leave to withdraw this Bill and therefore I have decided to follow that wise course. My Bill was of course contentious and therefore I myself made that motion to send the Bill out for eliciting opinions. The opinions have now been received. I have carefully read those opinions. I admit they are very illuminating, but of course for my purpose they are not all equally favourable.

The Bill, Sir, it will be noticed, consists of three parts. I did want to secure three objects by the Bill—first of all, the subjection of schemes of land acquisition to the control of the Legislatures; secondly, the institution of arbitration boards for assessing compensation; and thirdly, measures of equity for the benefit of persons who are deprived of land under the operation of the Land Acquisition Act. Now by making an analysis of the opinions I find that there is the strongest opposition appearing in those opinions to the first, namely, legislative control of land acquisition schemes. Of course I am impressed with the administrative difficulties pointed out in the opinions. However I retain my conviction that in very big schemes of land acquisition which threaten to wipe whole villages out of existence certainly the Legislative Councils ought to take cognizance of such schemes, but there are certain matters of detail which have got to be attended to, and I want to profit by the opinions which have been received on this subject. Opinion is less strong against the scheme which I have suggested for compensation. In fact, the principle does not seem to be challenged

[Mr. N. C. Kelkar.]

by anybody but redrafting is necessary in my opinion with regard to certain details. I find that the opposition is the least to the last part of my Bill, namely, equitable measures which I seek to introduce for the benefit of people who are going to come under the Land Acquisition Act. In fact I may say that opinion seems to be favourable and sympathetic to this aspect of the question. But you will see, Sir, my difficulty in the present matter. The Bill consists of three different objects and all of them are matters of mixed or disputed merit, and I think I shall be committing a mistake if I send, or if I seek to send this Bill as it is to the Select Committee where it would be punctuated all over with amendments and it would be marked out of all recognition like a face marked with small-pox. Therefore, I do not wish to submit the Bill to that sort of unfair treatment. Again I do not want to put all my eggs in one basket. I do not want that prejudice with regard to one part of the Bill should injuriously affect the merits of another part of my Bill. I am therefore intending to divide my Bill into two or three separate parts and to redraft my Bill in the light of the opinions that have been received. I therefore wish now to withdraw the Bill with the definite purpose and determination of bringing the Bill anew in the next Session in a modified form.

Sir, I move.

Mr. President: The question is:

"That leave be given to withdraw the Bill to amend the Land Acquisition Act, 1894, for certain purposes."

The motion was adopted.

Mr. N. C. Kelkar: Sir, I withdraw the Bill.

THE CHILD MARRIAGE RESTRAINT BILL.

Rai Sahib Harbilas Sarda (Ajmer-Merwara General): Sir, I rise to move that the Bill to regulate marriages of children amongst the Hindus, as reported by the Select Committee, be recirculated for the purpose of eliciting opinions thereon.

In doing so I wish to say a few words with regard to the alterations made in the Bill since its introduction. When I first introduced the Bill twelve months ago

Mr. President: Before the Honourable Member proceeds further, the Chair would like to know whether the Bill has been previously circulated under the authority of this House.

Rai Sahib Harbilas Sarda: The Bill was circulated by an executive order of the Government of India to the Local Governments—that is what I understand; but if this was not circulation in the proper sense, then I move that the Bill to regulate marriages of children amongst the Hindus, as reported by the Select Committee, be circulated for the purpose of eliciting opinions thereon.

Mr. President: That is correct.

Rai Sahib Harbilas Sarda: In doing so, Sir, I wish to say a few words with regard to the necessity of circulation, as the Bill has been materially altered since its introduction. When I first introduced the Bill it was a civil measure. As I wished to take the line of least resistance and as Government were also in favour of having a civil measure to deal with the

evil of child marriage and I wished to enlist Government sympathy, I made it a civil measure.

The Bill has now been before the public for six months, for, it was discussed and referred to the select committee in the September Session of the Assembly at Simla. During this time it has received almost unanimous support from the public. Men's conferences, women's conferences, associations, public meetings held for the purpose have in an unmistakeable manner strongly supported the Bill and have declared that the Bill has come none too soon. Government, by an executive order, circulated the Bill to Local Governments; and in view of the opinions received from the public and from the Local Governments, the Select Committee decided to drop the clause regarding the invalidity of child marriages and made the Bill a penal measure.

When I introduced the Bill, I confined its operations to Hindus only, for two reasons. There is a fundamental difference of opinion with regard to the institution of marriage between the Hindus and Mussalmans. The former regard marriage as a sacrament, the latter only as a civil contract. Moreover, amongst the Hindus there is such a thing as enforced widowhood. Among the Muslims no such thing obtains; and when civil remedy is sought to be applied to the evil, it is not easy to have only one thing for both the communities. As, however, the Select Committee made this Bill a penal measure, it thought it would be advisable to apply it to all Indians, whether Hindus, Muslims, or Christians.

Two questions now arose for decision: the first was, up to what age was the marriage to be held a child marriage? And secondly, what were the penalties to be imposed on those who performed such marriages? The Committee unanimously decided that 18 was the minimum marriageable age for boys; as for girls, the Muslim opinion, as the Bill now applies to Mussalmans also, in the Select Committee was dead against fixing the age below 14; consequently, the age was fixed at 14 in the case of girls.

Mr. President: All this I believe has been embodied in the Report of the Select Committee.

Rai Sahib Harbilas Sarda: Yes, Sir. The results have been embodied, but I wish only to explain how the thing has been altered.

Mr. President: Does the Honourable Member anticipate any opposition from Government?

Rai Sahib Harbilas Sarda: I do not know. I think the Government are committed to legislative action on the question of child marriage. They say, however, they will be guided as to the questions of age and punishment by an expression of public opinion. I am glad, Sir, that Government have decided to take legislative action. As regards the punishment, the general opinion was that fine alone was not sufficient. The unanimous decision of the Committee was that girls should in no case be punished with fine or imprisonment, and that boys, if above 21, should be punished with either fine or imprisonment.

Mr. President: The Chair can do no more than make a suggestion.

Rai Sahib Harbilas Sarda: I have just a word to say as regards the attitude of Government before I conclude. When I introduced the Bill, Sir Alexander Muddiman, the then Home Member, declared that he would oppose it at every stage. These apprehensions have been found to be unfounded. The Honourable the Home Member has given all possible

[Rai Sahib Harbilas Sarda.]

assistance to the passage of the Bill. I believe he is as anxious as we are to see that this evil of child marriage should disappear from India, and it is no doubt due to the facilities provided by him that we have been able to make such satisfactory progress with the Bill; and we are sure that in the next Simla Session we shall be able to pass this Bill in a satisfactory shape and that we shall have achieved an adequate reform of child marriage for which we shall all be thankful.

The Honourable Mr. J. Crerar (Home Member): Sir, I do not propose to detain the House at any length; but I should like to relieve any apprehensions that may have been entertained by the Honourable the Mover by saying at once that Government not only do not intend to oppose his motion but that it has their cordial support. The Honourable Member has been good enough to say that the Government have rendered every assistance in the transmutation of his original measure into the form in which it has been reported to the House. That is perfectly true; and I only wish to say, with regard to the statement made by the Honourable Member that my predecessor, Sir Alexander Muddiman, had declared that the Bill would be opposed at all stages, that the Bill against which Sir Alexander Muddiman entered a caveat was a very different measure from that which has now emerged. The measure which has emerged from the consultations of public opinion and from the deliberations of the Select Committee is largely in accordance with the great majority—and I think the greatest weight—of the opinion which has been received from Local Governments and the various bodies and individuals whom they have consulted. This is, I think, a measure on sound lines. It is a measure, certainly of very great significance. It will, I hope, receive the general approval of this House and I trust that though, as I have observed in my note appended to the Report of the Committee, Government must reserve a final judgment on some of the expedients proposed in the Bill, it will receive very general support after it has been circulated.

Sir, I support the motion of my Honourable friend.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, I consider it my duty as an orthodox Hindu to express my humble opinion and also to raise some objections which I hope you will consider valid. It is admitted that the Bill which has come from the Select Committee has been so altered that there is not much of connection or similarity between this Bill and the old Bill; and I really do not know whether in these circumstances it would not have been better, indeed it would not have been more consistent with Parliamentary procedure, for the Bill to be reintroduced, rather than being called the old Bill. The Honourable the Home Member has just admitted that the Bill has been materially changed; in fact the old Bill was of a civil nature, while the present Bill is of a penal nature; and I am rather taken by surprise that very few of my Honourable colleagues seem to have given as much attention to this matter as they ought to have done. The Bill, even in its civil form, as introduced, evoked in the country a good deal of opposition. I have received from several people, from several bodies and several institutions, from several recognised heads of religious institutions, strong statements calling upon us in fact to object to this Bill. It is true that on the last occasion I also was one of those who supported the general principle of that Bill, namely, that some kind of legislation should be introduced in order to prevent an evil, on the prevention of which all of us

are agreed. On that occasion I did say, and I even made an appeal to my other orthodox friends in this House, particularly to my
 12 Noon. Honourable friend, Pandit Madan Mohan Malaviya, to do his very best to give to the measure as much support as he and they possibly could; but now I am sorry I am forced to raise a voice of protest against this present measure. As I said just now, this is a penal legislation, and I am opposed on principle, I am very strongly opposed on principle to penal legislation coming in to the aid of social reform. Reform may be very good in its own way, but I have always opposed—that was the reason why I opposed the Bills of my Honourable friend, Sir Hari Singh Gour—I am always opposed to penal legislation being invoked to further social reform. It is a matter of principle with me that the State ought not to penalise the views of those who honestly believe, who believe quite as honestly as those who are opposed to them, that the line they are pursuing is a right line of conduct; in fact, I believe that their views are in consonance with what they deem to be the tenets of their religion. Especially in the case of an alien Government it is very dangerous to permit Government to interfere in social matters, in matters which are so mixed up with religion as to raise deep resentment among a large class of people. That has always been my contention against penal legislation being brought in to the aid of social reform, and this Bill is admitted to be a penal Bill. It is so changed that I think that this Bill ought to be introduced and not simply be taken as already introduced and be circulated for opinion. That is my first objection. Secondly, I find that the Bill is very, very contentious in its provisions; and although I do not wish to go into the details of the measure at this stage,—I shall do so when it comes back to us—I consider it my duty to represent that there is a very large body of opinion that is very strongly against this Bill. I know that there is a great deal of vocal opinion in favour of this Bill also. It should have been the duty of the Select Committee,—I am sorry in this respect I cannot pay a 'compliment to the Select Committee, they do not seem to have realised the strength of the opposition in the country to legislation of any character which will in any way interfere with the religious practices of people. I am sorry they seem to have completely ignored the great contention of those who are orthodox and to whom marriage is a very, very sacred act of life. In fact, this Bill seems to be more or less a complete social reformers' Bill. Social reformers are a good lot generally I know. I have a great compassion for them. (Laughter.) You may take the foot from me if you want, or you may not take it if you do not want; but beware that without the aid of people like me, however uncivilised you may think them to be, you cannot hope to get through this legislation and make it successful. Well, Sir, as I was saying, social reformers are a good lot in their own way, they are always very anxious to reform others, that is a very easy job, though it is very difficult to reform oneself. It is not very difficult to attempt to reform others, it is a very easy job to become a social reformer and ask people to do this, that and any another thing. So, the provisions of this Bill, as I was just saying do not take into account at all the great volume of opinion in the country against legislation of this kind. Personally the whole thing seems to me to be funny. Take the title. It says, "A Bill to restrain the solemnisation of child marriages". I do not know what it means. Does it mean that marriages shall be performed, but should not be solemnised? Is it to restrain solemnisation only or

[Mr. M. K. Acharya.]

to restrain the celebration? Or the performance of child marriages? I thought it would have been much better if the very eminent people that drafted this Bill and who were on the Select Committee had paid a little more care to the drafting of the whole thing. If the complaint is against solemnisation and not against the performance, I dare question the need for the Bill . . . (Mr K Ahmed: "Who solemnised it?") However, Sir, I wish to be very serious. As I said before, I do not want to go into the details of this Bill. What I do want to say is this, that I and many others whose views I represent are strongly against penal legislation of any kind to bring about social reform. Personally I am not against a reform of this kind on cautious lines. I do admit there must be a great deal of reform in the matter of Hindu marriages. But it is one thing to desire reform, sane, healthy and wise reform, and quite another thing to pass a Bill through a mixed House of this kind where probably all kinds of opinions prevail,—to pass a penal legislation of this kind. Therefore, Sir, I want Government should take careful note of this fact; because I still hope that the Government have no desire to thrust their views or the views of any social reformers upon those who do not wish to be bound by the views of those social reformers. I would warn Government to take note of the fact that there is a great deal of strong orthodox Hindu opinion which is opposed to penal legislation of this kind. The difficulty, Sir, comes in here. Among the Hindus marriage is a sacrament, and among a very large body of Hindus, if not among all, marriage has a meaning which perhaps it has not got to the alien or to the non-Hindu. Marriage among us does not necessarily denote the immediate living together as man and wife. In fact, among Hindus, especially among Brahmans and certain others, there are two ceremonies; the first and more important and more sacred ceremony is really the ceremony of betrothal, which is called the *Vivaha Samskara*. The *Samskara* is the bringing together the girl and the boy into sacred relationship for life. It is a sacred relationship and therefore it becomes a sacrament. Perhaps the most important sacrament in a Hindu's religious life is the sacrament of marriage; and there is a large section of Hindus who regard that this sacrament must be administered to the girl before she attains puberty. The ages of course vary in various parts of the country—13, 12 or even 11 sometimes; and to those Hindus who think that they ought to marry their daughters before they attain their puberty, this Bill will come as a great blow, and I do wish to say that neither the Government nor this House has any right whatever to go and tell the orthodox Hindus that they shall not marry their girls before they attain puberty. If this is granted, namely, the respect that is due to orthodox Hindu opinion and permission to marry their girls before the girls attain puberty, surely the fixing of the age of 14 as the minimum age, below which the marriage of girls should be penalised, is a very serious measure; and I would like Government to pay to this matter very, very serious attention. It may set millions in rebellion against Government if you desire to pass a measure of this kind. I really do not know whether non-official Members in this House realise their responsibility in this matter. As I said, let us not confuse what we want with what method we should adopt. We may desire to bring about reform of various kinds; but to go and tell a man that he has no right whatsoever to act according to what he considers to be the tenets of his religion is a very serious matter; and I do not believe

that any man or any Government has any right to tell any father that he should not abide by the tenets of his religion. I know people will contend, people who call themselves learned will contend that the Shastras ought to be interpreted in this way or in that way and not in any other way, and so forth. We are not here considering these things. What I do wish to say is about the fact that there are hundreds of thousands of Hindus who regard marriage as a sacred duty, as part of their religion; who will consider that they have committed a great sin if they do not marry their girls before the girls attain puberty. In such a case, can we say that anybody who ventures to act according to the tenets of his religion, who has got a conscience and is not prepared to tamper with his conscience, should be penalised with a fine of Rs. 1,000 or imprisonment for a month? It does not matter what the punishment is, I am not concerned with that now, but is it right to say that these people should not be allowed to follow the tenets of their religion? I hold this would be a violation of a very great and serious principle. On that score I wish to sound a very, very serious note of warning to the Government and to whomsoever may be anxious to bring about social reform. I am anxious in my own way to bring about reform, but this is not the method. We ought to pursue a less contentious method of bringing about what we wish. Therefore, if I were in the Select Committee, I would have insisted that there must be differentiation between betrothal and the later living together as man and wife. I should have no objection to any Bill being introduced to say that no girl under the age of 14 should be allowed to live as a wife with her husband. I should have no objection to that; though even this may be supposed to encroach on the right of the husband to property over the girl; I should, even at the risk of offending some people, support a measure of that kind in the larger interests of society. But to say that a child ought not to be betrothed before she is 14 transgresses what many consider to be sacred tenets of religion.

It would have been much better if this Bill had been formally introduced instead of being taken as introduced and circulated for opinion. That is my first point. It is for you to rule whether the Bill having been so radically altered ought to be allowed to be circulated. (Mr. B. Das: "Your leader, Mr. Srinivasa Iyengar, has supported this Bill".) There may be many Srinivasa Iyengars holding their own views, but I am here to voice the opinion of the orthodox section of other equally great people and bodies and Associations who have expressed their views against this Bill. Neither in political nor in social reform is any one's the last word. Simon Commissions and Srinivasa Iyengar Committees may come and go; but the country will go on; and the destinies of India are not going to be vested in anybody however great he might fancy himself to be. I do not want to say more. Even at the risk of being misinterpreted and maligned by a second Miss Mayo, I wish to say that there is a large body of opinion which is very strongly opposed to this Bill and I shall be failing in my duty if I do not voice that opinion. I submit, Sir, that this Bill should have gone through the formal course of being introduced and then circulated for opinion, and I should be glad to support any wise, sane, reasonable measure or legislation which will try to bring about reform without unduly offending the religious susceptibilities of any large section. As it is drafted, I feel that this Bill is open to very serious objection; and I warn my Hindu colleagues against being hastily led to give their support to this Bill. I hope when the opinions are received, they will

[Mr. M. K. Acharya.]

show what a strong opposition the Bill has given rise to in the country at large. I know very many ladies will send up memorials to us and copies of the resolutions they have passed in support of this Bill. Even at the risk of appearing a bad man in their eyes, and of incurring their displeasure I wish to protest against the Bill as it has been drawn up. I consider this even more dangerous than Sir Hari Singh Gour's Age of Consent Bills.

I am sorry to read in Mr. Crerar's statement the sentence that "Government accept and support the principle of making child marriages a penal offence." I am very sorry to read that. I think no civil Government has any right to interfere in religious matters, or do anything which is an encroachment on the Queen's Proclamation. I question the right of the Government to legislate in this matter and to interfere with my religious right. Government ought to realise the amount of feeling this subject has excited in the minds of orthodox people at large. When this Bill goes out, there will be huge meetings of orthodox Hindus held in every part of India from the Himalayas to Cape Comorin, and the Government will be flooded with memorials. Then my social reformer friends will not be able to treat the matter so lightly. I am glad that my friends Pandit Madan Mohan Malaviya and Mr. Ganganand Sinha have in their notes on this Bill already raised this question. We must in this matter follow the line of least resistance. Again I say that while I am for some form of legislation. . . .

Mr. President: The Honourable Member has stated that ten times.

Mr. M. K. Acharya: It will bear repetition a hundred times

Mr. President: Order. order.

Mr. M. K. Acharya: Sir, I object to the very principle of the Bill. I want to make my position very clear before I give my vote on this question. The principle of the Bill is one to which I cannot agree, namely, interfering with the religious practices of people, and making that a penal offence which people concerned regard as a religious rite. No Government has a right to do that.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, when this Bill was introduced in Simla for the first time I heartily supported it although at that time the scope of the Bill was very limited and it did not apply to my community. As the Bill has come out from the Select Committee, I am glad that its scope has been extended, it applies equally to Hindus, Mussalmans and the other communities in India. Again I desire to lend my strong support to the Bill as I did last time. I want to make it clear that the Mussalmans are not in any way behind any community in the matter of social reforms so long as they do not interfere with their religion; and I dare say that the Bill, as it has been framed, does not in any way interfere with the religious tenets of the Mussalmans and I hope that Mussalmans will unanimously support this Bill. Mr. Acharya seems to be hostile to the principle of the Bill. He considers that the Bill is against the tenets of his religion. If that were so I would certainly lend my support to him as I do not want Government to interfere in any religion in India. I do not know the Hindu law as much

as my friend probably does, but I think there is a great difference of opinion among the Hindus themselves on this question, and I am assured that a large number of learned Hindus, who know the Vedas and the Shastras, consider that this Bill does not interfere with their religion. (*Mr. M. K. Acharya*: "Question?") The Bill is going before the public and it will elicit the opinion of Hindus, Mussalmans and other communities as well. However, I wish to congratulate my friend Rai Sahib Harbilas Sarda and also the Government that at least one measure of social reform has come before us. I shall be very glad if it does not take a long time before this Bill is placed on the Statute-book. It is not necessary to make a long speech at this stage and with these few remarks I support the motion.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan). Sir, I should like very briefly to state to the House why the age in the case of the girl has been raised to 14 and what are the justifications for the Select Committee in arriving at this age. Honourable Members are aware that the question about the age of consent has been agitated in this House ever since the commencement of the first Assembly, and one Bill after another has been on the tapis for the purpose of protecting children. In 1925 the Government raised the age of consent from 12 to 13 inside marital relations and from 12 to 14 outside marital relations. Now, this Bill deals with the law of marriage apart from the question of consummation of marriage. Now, so far as the question of consummation is concerned, it is a penal offence under the Indian Penal Code if consummation takes place before the girl has attained the age of 13.

Mr. President: This is a motion for circulation. The Honourable Member will have ample opportunity to discuss all these points at length when the Bill comes back before the House.

Sir Hari Singh Gour: I am just explaining why the motion for circulation should be accepted by the House. Now, in 1925 the Honourable the Home Member gave an assurance to me that the age of 13 was only half a loaf and that the further question of raising the age to 14 would be taken up immediately, and it has been taken up. Consequently, so far as the age of consent is concerned, you may take it now as practically settled, and I think it will be legislatively settled within a very short time, that this House cannot consent to consummation before the girl has reached the age of 14; and the reasons for it, Sir, are obvious. Medical opinions throughout the country are agreed that girls—at least 78 per cent. of girls in this country,—do not attain puberty till they are in their fourteenth year; and the mere appearance of puberty is not the same thing as sufficient physical development to bear the travails of maternity; and the Shastras of old laid down that no girl shall enter the house of her husband till she has completed her sixteenth year. The Honourable Pandit Madan Mohan Malaviya, in speaking on my Age of Consent Bill, cited that particular passage, and I am not, Sir, aware of any Shastric law which enjoins upon a Hindu the necessity of marrying before the age of discretion. If I had time I could give my friend the Honourable Mr. Acharya a large number of instances showing that in Vedic times and according to the Puranas adult marriages were the rule. It is only with the introduction of a corrupt Hinduism that the age has been reduced till we find it shown in the Census Report of 1921 that marriages take place between boys and girls—I should say not boys and girls but babies—of 12 months of age; and what is worse is that several hundreds of widows are described as aged under 12 months. Now, does

[Sir Hari Singh Gour.]

Mr. Acharya support this state of affairs? Can he say that his Shastras and mine will support this inhuman practice of marrying girls before they have attained the age of 12 months? Sir, there is another aspect. With the growth of education and the development of individualism and self-consciousness boys want to know what sort of girls they are going to marry, and if you marry them off before they attain years of discretion they very soon get re-married when they become adults and with what results? These child wives are discarded because the Hindu law admits of polygamy and that results in the lifelong unhappiness of these unfortunate child wives. Does Mr Acharya support that state of affairs? I submit, therefore, that this is not a measure of social reform; it is a measure which is based upon the broad principles of humanitarianism. It is intended to protect children against immature and premature marriages and consequent consummation. It is intended to strengthen the race. It is intended to prevent post-marital unhappiness which inevitably results when boys grow up and contract other marriages. It is intended, Sir, to prevent, not only matricide and infanticide consequent upon early marriages, but the unhappiness of families and neighbours and friends consequent upon frequent bereavements resulting from early marriages. The different Leagues that collect facts on this subject have pointed out to us the appalling fact that in India 33½ per cent of the children die before they are 12 months old. And in medical books we read that many girls between the ages of 15 and 25 die of consumption as a direct result of premature consummation. Now I ask the Honourable Mr Acharya, can he tolerate this state of affairs? I feel, Sir, that so far as intelligent Hindu society is concerned, it is alive to the mischief these early marriages are doing, and I am certain that when this Bill goes out to the country it will receive a chorus of applause; because it is a measure which is intended to protect children; it is a measure which is intended to prevent matricide and infanticide. My friend on the other side says this is a religious measure. But my friend cannot have forgotten that there are two sides to a marriage. There is the man's point of view, and there is the woman's point of view. My friend has been talking as if there was only one sex in this world and that Mr. Acharya's. He likes to marry early and therefore it is good law. But what about the woman? She does not want to marry early; she protests against the man-made law which makes her a victim to early consummation, which makes her a prey to disease and death. You have forgotten her point of view. I therefore submit that this is a measure which when it goes out into the country will receive the support of all intelligent classes, Hindus, Muhammadans, Christians and others. It is a measure which the most orthodox Hindu should accept, not only because it is in consonance with Hindu law, but because it is buttressed and based upon the larger foundation of human kindness and common humanity. I therefore, Sir, support this measure. (Applause.)

Munshi Iswar Saran (Lucknow Division: Non-Muhammadian Rural). Sir, I had not the slightest intention of intervening in this debate, but the provocative speech of my Honourable friend Mr. Acharya has left me no option but to rise and with the permission of the House to offer a few observations. My heart goes out in sympathy to Mr Acharya who on the last occasion supported this measure, and the House will note that on the last occasion the measure was much severer than it is to-day; but now Mr Acharya finds himself in a position in which he must offer uncompromising

opposition to it. What is the reason of the change? May I, Sir, give a guess to the House? That body of opinion which has created such a tremendous dread in the mind of my Honourable friend, Mr. Acharya, is responsible for bringing about this change in his attitude. I confess I do not agree with my Honourable friend, Sir Hari Singh Gour, that this measure will be welcomed all over the country. It is no good exaggerating things. There will be a body of influential opinion which will be opposed to this Bill. There is no gainsaying that. But at the same time there will be a stronger body of public opinion which will welcome this Bill and will rejoice over it. My friend, Mr. Acharya, has repeatedly given a warning to Government, and I hope my Honourable friend, Mr. Crerar, is feeling very unhappy over it.

Mr. B. Das (Orissa Division: Non-Muhammadian): Not at all.

Munshi Iswar Saran: He says, let Government beware. If Government accepts this measure, there will be such a tremendous opposition in the country that Government very soon will discover the folly of the position that it has taken up. Sir, these vague warnings leave everybody cold, I hope including the Home Member. Let me say this here very explicitly that Government, if at all, has gained by saying in a guarded manner that it is favourably inclined towards the main principle underlying the Bill. If Government had adopted a different attitude, Sir, I am afraid Government would have exposed itself to a great deal of just and legitimate criticism. Mr. Acharya says that no human Government has got any business to interfere with this question.

Mr. M. K. Acharya: With religion.

Munshi Iswar Saran: Then, Sir, there is an end of the matter. If no human Government can interfere with a question like this, then I suppose Mr. Acharya should . . .

Mr. M. K. Acharya: I said "interfere with the religion of anybody."

Munshi Iswar Saran: Mr. Acharya says with the religion of anybody. Does Mr. Acharya realize that it is no good saying that every custom that we have in our society is based on religion?

Mr. M. K. Acharya: I never said that.

Munshi Iswar Saran: Mr. Acharya unnecessarily interjects remarks which force one to make observations which one would not have liked to make. Does Mr. Acharya know that at one time orthodoxy would have nothing to do with those who crossed the seas? Where is that restriction now? Does Mr. Acharya know that at one time if a man took a cup of tea in a refreshment room he was turned out of caste, and religion was in danger? But the same man to-day is an honoured member of society, in spite of those lapses, if this expression will please my friend Mr. Acharya.

Mr. M. K. Acharya: Question?

Munshi Iswar Saran: Let the House answer.

An Honourable Member: What about *suttee*? 8

Munshi Iswar Saran: I am not going into that. Let us realize this once for all. I am as keen a Hindu—if not keener—as Mr. Acharya in spite of his orthodox looks, but let me tell him quite plainly that this interpreta-

[Munshi Iswar Saran.]

tion of Hinduism, this conception of Hinduism is responsible for the degradation and the weakness

Mr. M. K. Acharya: Certainly not.

Munshi Iswar Saran: Mr. Acharya talks a great deal about the social reformer. I am not a social reformer at all.

Mr. M. K. Acharya: I am glad you are not.

Munshi Iswar Saran: But I am happy that I am not in the company of Mr. Acharya, either.

Mr. Acharya talks about betrothal, Sir, but if he had taken the trouble of studying this Bill, he would have seen that there is not a word in it against betrothal. You may betroth the child before even the child's father is born. There is no objection to it. Betroth the child whenever you like. But what we object to is that you have no business to marry a child (At this stage Mr. Acharya made an interruption which was inaudible.) If the Honourable Member wants to interrupt me, let him interrupt me properly. If he goes on interjecting remarks constantly like this, I am afraid I cannot go on. Please let Mr. Acharya and those who think with him mark the distinction between betrothal and marriage. I am a Hindu. I know what Hindu customs are. Betrothal is one thing. Marriage is another. If it pleases you "Hindu orthodox soul"—of course within inverted commas—to betroth your child at the age of 3, by all means do it, or you may do so even earlier. But what the Bill lays down is that you cannot and shall not, if the Bill becomes law, marry your child before a particular age. Where is the objection to it? Where on earth is the objection to it? I am not going into the consequences or into the evil results that have flown from early marriage. The effects of early marriage are pernicious not only in this country but all the world over.

My Honourable friend Mr. Acharya says that Hindu marriage is a sacrament. Who says that it is not? No one objects to it. This is what I said on the last occasion, and I shall repeat it, with your permission, Sir. If you talk of sacrament, for the sake of Heaven be sincere in your talk. Do you mean to say that a child of 3 years of age, a child of 6 years of age or a child of 8 years of age understands what the ceremony means, through which they are made to go by the parents?

Mr. M. K. Acharya: Last time I said that such a ceremony was not a sacrament.

Munshi Iswar Saran: My friend says that last time he said that it was not a sacrament and this time he says it is a sacrament.

Mr. M. K. Acharya: No, not even this time.

Munshi Iswar Saran: Either it is a sacrament or it is not. What is the good of bringing in expressions which have no application to the question we are considering at the present moment? This Bill does not contemplate, this Bill does not seek, to make the marriage of Hindus a civil contract. It does not seek to accomplish that. The nature of the marriage will remain as it is; that will be unaffected. What it says is that instead of performing this religious sacrament at a particular age, you will perform it after a certain age. That is all and no more.

Sir, it is not necessary at the present moment to go into the details of this measure. I wish only to say one thing, and that is that those of

my friends who always unfurl the banner of " Religion in danger " should realise that they will serve the cause which they profess to have at heart. I shall for the benefit of my Honourable friend Mr. Acharya quote an authority which I do venture to hope he will accept as very high. This is the authority of Swami Ram Tirath, whose name, I dare say, he has heard. Swami Ram Tirath told me that Hindu religion is an aid to progress. Hindu religion is not such a reactionary religion as some of its followers represent it to be. But he added, if religion stands in the path of your progress, then do away with such religion. Let my Honourable friend Mr. Acharya and those who think like him beware—it is not a warning like the one that he has given to the Home Member, but it is a serious warning and if my friend Mr. Acharya will read the history of the world, he will see that there is force in my warning—if every forward movement, if every proposal for reform, is obstructed in the name of Hinduism and if then Hinduism fails to command the allegiance of many people, men like my Honourable friend Mr. Acharya will be to blame.

Sir, I should have thought that the Report of the Select Committee should have been taken into consideration, but as the Honourable the Home Member and my Honourable friend the Mover of this Bill are agreed that it should be circulated for opinion, I think I must agree to it. But if there had not been this beautiful agreement between the two sides of the House, I should certainly have pressed that the Report be taken into consideration in the Simla Session. But I do make an appeal to the Honourable the Home Member that he will kindly so expedite matters that we may be able to deal with this measure in the Simla Session.

With these words, I support the motion.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhammadan Rural): Sir, I had no desire to take part in the discussion at this stage, but the remarks made by my Honourable friend Mr. Acharya compel me to put in a few words, and I do not propose to take up the time of the House at any great length.

Sir, the social reformers have pressed for such a legislation for a long time, but we always feared that probably the Government would be the first in offering its opposition to the Bill for the introduction of which credit goes to my Honourable friend Rai Sahib Harbilas Sarda. But I must pay my compliments to the Honourable the Home Member and I must congratulate the Government on the attitude which they have taken up and also for making it very clear, namely, that they are not only not going to oppose this Bill but on the contrary they are going to support it.

Sir, I was rather surprised to hear the remarks of my friend Mr. Acharya who, although in politics a very great extremist, had to take up a very humiliating course of appealing to the Government.

Mr. M. K. Acharya: It is not humiliating at all.

Mr. Ghanshyam Das Birla: He appealed to the Government that they ought not to support this Bill.

Mr. M. K. Acharya: I warned them.

Mr. Ghanshyam Das Birla: He says that he represents the orthodox community and he wishes to appeal to and warn the Government on behalf of the orthodox community not to support the Bill. Sir, up to this

[Mr. Ghanshyam Das Birla.]

time, I had always entertained an idea that it was Pandit Madan Mohan Malaviya who was the greatest of the leaders of the Sanatanists. I had read so in the papers and I have known him as the one acknowledged leader of the orthodox Hindus representing the Sanatanist views in this House. Mr. Acharya therefore certainly took me by surprise when he declared that he was the man who was representing the Sanatanists in this House.

Mr. M. K. Acharya: I never said so.

Mr. Ghanshyam Das Birla: I think, Sir, the fight is now between the two leaders and they have to prove it among themselves as to who the acknowledged leader of the Sanatanists is.

Mr. M. K. Acharya: There is no fight.

Mr. Ghanshyam Das Birla: But I am quite sure that if this measure is supported by a Sanatanist like Pandit Madan Mohan Malaviya, it will command the support even from the staunchest and the most orthodox Sanatanist.

Sir, I tried to understand the arguments of my friend Mr. Acharya, but I must confess that, except warnings, threats and appeals, his speech did not contain any stuff. I wish he had put some sound arguments before the House against such a measure. He says: "I do not like any penal legislation for social matters". I would like to put him one question in this connection. He told the House with great excitement that what right had any civilized government to prevent him from marrying his daughter below the age of 14 if he so desired. Well, Sir, I think all the orthodox Hindus of his type would agree that after the death of a husband it ought to be religious for the widow to burn herself with the deceased husband and become a *suttee*. If he is a true orthodox Hindu, as he says he is, then he should think it his most sacred duty to perform the *suttee* rite and preach the same to the Hindu community. I put him this question: Has he got enough courage to preach *sutteeism* and perform it when opportunity offered? If he has got that courage I would ask him to preach that, and if he did that I am quite sure that the Honourable the Home Member will take care of the rest. But he would not do this. He has not the courage to take the consequence of such an action. These gentlemen come here and oppose this legislation on the ground that this introduces a penalty and he does not support any penal legislation. But, Sir, what about so many other Acts which have been passed in the past? In fact to-day all our social rules are governed by penal legislation. Legislation would have no meaning if it was not followed by some penalty. Sir, Mr. Acharya threatens the Government that there will be a revolution in the country if this measure was brought into force. I think, Sir, this to be a very good argument in favour of the Government's support to this Bill. I am quite sure this Bill could not be passed in this House without the support of the Opposition Benches, and if the people resented such a legislation I think they would revolt first of all not against the Government but against the Opposition Benches who are responsible for the introduction of this Bill. And I am quite sure, Sir, that the Government would be delighted in their heart of hearts to see the downfall of the Opposition Benches if it could be brought about by passing such legislation. Therefore, if not for the sake of any other thing,

at least—according to the conception of Mr. Acharya—for the sake of bringing about the downfall of the Opposition Benches, the Government should support this Bill. But I do not think they need entertain any fear on that point.

I am quite sure that if Pandit Malaviya supports the Bill—and he does support it when he says “I am glad that the Bill has been recast very much on the lines I suggested when it was considered by the Assembly”—I am quite sure that it will command great support from the other orthodox Hindus. I am quite sure that Pandit Malaviya is a greater Sanatanist than Mr. Acharya, and therefore I, as a staunch Sanatanist, support this motion.

• (Several Honourable Members moved that the question be put.)

Mr. President: The question is that the question be now put.

The motion was adopted.

Mr. President: The question is:

“That the Bill to regulate marriages of children amongst the Hindus, as reported by the Select Committee, be recirculated for the purpose of eliciting opinions thereon.”

The motion was adopted.

THE CASTE DISABILITIES REMOVAL REPEALING BILL.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I beg to move that the Bill to repeal the Caste Disabilities Removal Act, 1850, be circulated for the purpose of eliciting opinions thereon.

The question which this Bill raises is a very big one and a very contentious one also. I am quite aware of that, therefore I myself put the motion down as one for sending the Bill out for eliciting opinions. Further, I would have had to make a speech on the Bill and put my views before the House, if I thought that Government would oppose it, but just a few minutes ago I have ascertained from the Official Whip that Government are not going to oppose this simple motion for sending the Bill out for circulation. If that is so, I will not make any speech, but will take the hint which you gave to Rai Sahib Harbilas Sarda that he need not make any speech if Government were not going to oppose. Therefore, on the assumption that Government are not going to oppose the motion. I do not make a speech.

The Honourable Mr. J. Crerar (Home Member): Sir, Government are quite prepared to accept the judgment of the House as to whether this Bill should be circulated or not, but I should like to make it perfectly clear that, in leaving it to the decision of the House in that manner, I do not desire to be understood that Government approve of the principle of this Bill. My own personal opinion is that it is extremely reactionary, and if it is circulated I trust and I anticipate that a very large body of opinion will be found hostile to it. However, as I say, if it is the wish of the House that the Bill should be circulated, and on that strict understanding with regard to the attitude of the Government towards it, we are prepared to leave it to the judgment of the House.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, I must confess I am greatly surprised that a Bill of this character should have emanated from my Honourable friend Mr. Kelkar. Probably he does not realise

Mr. N. C. Kelkar: On a point of order, Sir.

Sir Hari Singh Gour: I do not give way, Sir.

Mr. President: There is a point of order and, therefore, the Honourable Member must give way.

Mr. N. C. Kelkar: Sir, you will have seen why I did not make any speech at all. I do not wish to interfere with the rights of the Honourable Member, Sir Hari Singh Gour, but Government having made their position clear I do not think he should make any trouble about it.

Mr. President: Order, order. That is not a point of order.

Sir Hari Singh Gour: I was going to say, Sir, that I am greatly surprised, knowing as I do the progressive tendencies of my Honourable friend, that he should have become for once the champion of extreme reaction and should have come forward before this House in all seriousness to repeal the Caste Disabilities Removal Act. Now do Honourable Members realise what that Act means and what they have done only the other day—on the 22nd of this month? Let me recall to the House the history of the passing of the Caste Disabilities Removal Act. Under the Hindu law it is laid down that a person who loses his caste, or who loses his mental or bodily faculties, or is deprived of an organ of sense, touch or feeling becomes legally dead; loses all rights and privileges. If he is a coparcener he ceases to be a coparcener; if a possible heir he ceases to be a possible heir, and in certain cases not only he but his whole line becomes in the eye of the law extinct. That is the pure Shastric law. Now if that law were in vogue it would prevent all transgressors, it would prevent my Honourable friend Mr. Kelkar coming to the tiffin room and receiving our hospitality or taking a cup of tea in that tiffin room. The moment he does that he would be deprived of his caste. (Mr. N. C. Kelkar: "No".) And the moment he is deprived of his caste he is deprived of all his heritage; that is the Shastric law. The Shastric law is rigid, inflexible, remorseless, in excluding all persons who transgress in the slightest degree the requirements of caste. Now, Sir, long before 1850, when a reforming movement was in progress in this country, orthodox Hindus and heterodox Hindus all said they must give freedom of conscience. A man must be free to follow the dictates of his own conscience; to threaten to penalise him simply because he happens to differ from the orthodox view would be wrong. That being the principle, and that being the principle accepted by the State, the State had no duty except to pass what it did—the Caste Disabilities Removal Act. Now, if Honourable Members will turn to that short Act, they will find it simply lays down this, that any law which contravenes the Caste Disabilities Removal Act will not be enforceable by the courts—in other words if you have any social opinion, if you can organise social ostracism, social persecution of the man who transgresses the caste law; you are entitled to do so; but so far as the courts are concerned, they will not enforce the penalty which the Shastras enjoin upon a person who forfeits his caste by his act which transgresses some of the rules of that caste. Now, Sir, I submit that is the least they could have done. They should have done much more. In 1850, they only gave you half relief. That half relief

was that the loss of caste will not entail loss of property. They should have gone further and they should have said that the loss of a limb or an organ should not entail loss of property. This was done only a few days ago on the 22nd instant with the assistance of my friend here. Therefore, Sir, the fullest emancipation has been given to the Hindus, and they have been freed from the rigours of caste and also from the inevitable provision of law which deprived them of right of property simply because they happened to have lost an organ or a limb—it might have been when working in a factory or on the battlefield fighting for their country or for their family. Therefore, I submit that both the Act of 1850 and the Bill which has been passed by this House on the 22nd of this month are emancipating measures intended to help the persons who cannot observe the rigid rules of caste and who on the other hand would like the State to emancipate them from the rigorous restrictive rules of caste by law. My friend on the other side comes up and says that the Caste Disabilities Removal Act should be repealed. Now, he told you, Sir, that he does not want to make a speech. Really speaking there is nothing to speak about except that he wants the law to be changed, changed after 78 years. So far as I am concerned, I have read all the cases that have been decided under the Caste Disabilities Removal Act; and in some cases, when that Act has been referred to by the courts, they have pointed out that it is a partial and halting measure. It is not a measure which deals with the complete emancipation of a man and gives him freedom of conscience; but it is a half measure, and I submit even as a half measure it is something; and if you are to take that away you will have once more placed upon us the shackles of caste. You will have once more thrown us into the cage of the Hindu caste-ridden religion; you will have completely destroyed that emancipating and reforming movement which is purifying and purging Hinduism and Hindu society. In other words, you would have bolted and barred the door to all progress, and I am sure my Honourable friend on the other side does not realise the full effect of the mischievous consequences that this measure would entail if it becomes law. I am sure that my learned friend who has taken a legal degree, but who has confessed on the floor of this House on more than one occasion that he has never practised law, will once more reconsider the mischievous effect his measure is likely to produce throughout the length and breadth of the land. How many are there in this House—I speak of Hindus—who would not be outcasted and thereby deprived of their rights of property and of their heritage and patrimony, simply because they have violated some rule of caste? Shall I tell you what those rules of caste are? One of the rules of caste, written in the later Purans, is that if you go in the early morning to draw water from a well and you find the shadow of a crow upon your *chatty* and if you drink that water, you are outcasted; and the moment I am outcasted and I go home, my brothers will say "Who are you?" And when I say "I am your brother and I have an interest in your property", they will say "Not a bit of it; a crow's shadow fell upon your *chatty*: out you go". Can any modern society tolerate this state of affairs? I can give you hundreds

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of examples of the puritanical rigour with which the pandits of the mediæval ages have forged numerous shackles round Hinduism. It is only, I submit, the refreshing breeze from the West that is now trying to refresh and reinvigorate, and if I may be permitted to say so, to re-incarnate Hindu society, and this measure is a Magna Charta of Hindus. I ask every Hindu in this House to contemptuously throw out this motion

[Sir Hari Singh Gour.]

on the short ground that it is a menace to human progress, it is a menace to reforming movements in this country, and I am sure the most orthodox Hindu in this House cannot subscribe to the creed that a person who for his personal views incurs the displeasure of his caste should be deprived of his rights of property. That is what the Act of 1850 safeguards. That is the minimum right which that Act of 1850 safeguards, and I ask in the interests of justice, in the interests of fair play, that the Government should actively oppose this measure if only on the short ground that it has been on the Statute-book for 78 years and there is no *prima facie* case for reconsidering it which a reference to public opinion would necessarily imply. I therefore ask that the least the Honourable the Home Member can do is to give all parts of this House, at any rate his well disciplined cohort, a free vote on this question. I may tell the Honourable the Home Member that if a free vote is given to the Government Members on this question of social reform and social emancipation, I am perfectly certain that we shall rally to the support of human freedom, and what is more, the safeguarding of the right of individual conscience and individual action. I ask, therefore, in the name of human freedom, in the name of human endeavour, for the reformation of the Church, for the reformation of society, and I say further, for the welfare of mankind, that this measure should be rigorously and stoutly opposed by all sections of the House.

Sir, I oppose the motion.

Mr. N. C. Kelkar: I did not really think that there would be opposition, and such strong opposition as has been offered to my motion just now by my Honourable friend, Sir Hari Singh Gour. He has already borne testimony to the fact that I personally am a man of reformed views and I do not think the House has got any doubts on that matter . . .

Sir Hari Singh Gour: I never had any doubt at all till this measure was brought forward by the Honourable Member.

Mr. N. C. Kelkar: Doubts have perhaps now been created by the allegation that I am bringing forward a very, very reactionary measure. First of all I must say that Sir Hari Singh Gour's idea of a social reformer is not my idea of a social reformer. My idea of a social reformer is that a social reformer must be self-respectful, bold, ambitious and courageous. He ought not to be a man taking things both ways, eating his cake and having it, too; taking his father's property but not taking his father's religion and causing difficulties to others. My idea of a social reformer is, if he is really courageous, he will take his courage in both hands and free his relations and his family from complications that arise necessarily out of his stepping into his father's shoes without occupying the father's shoes. What is the use of succeeding to your father's property and claiming a share therein if you do not take your father's religion also? If you want to change your religion, by all means do so, but have the ambition to prove yourself a fresh stock of descent both for property as well as for religion. But you are a pusillanimous man, calling yourself a social reformer, wanting to take your father's property and wanting to disgrace his religion. Is that what you mean by social reformer? Therefore, my first point is that I want my social reformer, who honestly wants to change his religion, to be a courageous and self-respectful man, and economically sound man, a man who out of charity and mercy for his brothers and other relatives will not cause complications

to them, which is bound to happen if he is allowed to go out of his religion and at the same time inherit his ancestral property, live in the same house and cause trouble to his relatives. Is that humanity, I ask Dr. Gour? His humanity is like King Charles' head, always popping up its head in every matter. Where is the humanity in a man leaving his father's religion, disgracing his memory and taking his property and benefiting by it? Then my friend Dr. Gour's ideas are very queer about the causes of a man going out of caste. I am not a practising lawyer, but I have lived in society for a number of years. I cannot compare my age with Dr. Gour's. Perhaps I am older, perhaps he is older, I do not know. But I challenge him to prove that any man is outcasted except for very reprehensible reasons. It is absolutely ridiculous that I should be outcasted simply on account of taking a cup of tea. (Here Sir Hari Singh Gour made an interruption which was inaudible). Sir, my friend, who has read the law as it is practised in courts, poses as a great reformer and legal luminary. He does not simply know that it is not for such small matters that persons are outcasted. The real point of my bringing this Bill before the House is this. This Bill was passed at a time, say 70 or 75 years ago, when this Assembly was not representative and did not exist. I want this Bill to go out to see how far our electorates really want this sort of Bill.

There is one other point which I wish to bring to the notice of the House, and it is want of reciprocity at present with regard to the inheritance by apostates. That is my first objection. I do not want that the Bill should be entirely repealed. I do want certain modifications with regard to the anomalies of inheritance by apostates. These anomalies should be removed and I want the Bill to be circulated because it may prove thought-provoking and suggestions may come as to how these anomalies should be removed. I have already pointed out these anomalies in the Statement of Objects and Reasons. I do ask Dr. Gour—are there no anomalies in regard to the inheritance by apostates?

Sir Hari Singh Gour: There are anomalies to improve the Bill and not to repeal it.

Mr. N. C. Kelkar: My motion is simply for circulating the Bill in order to elicit opinions. Dr. Gour does not know that. If my motion be that the Bill be proceeded with just now that would be an entirely different matter.

Mr. K. Ahmed: That might bring disorder in the country.

Mr. N. C. Kelkar: Yes, revolution and rebellion! There are certain difficulties experienced, particularly by Hindus, owing to the want of reciprocity. Other religions at present benefit by apostacy but the Hindu religion on the contrary suffers. Now, Dr. Gour himself will admit that this inheritance by an apostate is entirely against the Hindu law. If he reads Mitakshara, Chapter II, and Manu, Chapter IX, he will find that the law does not allow that kind of inheritance, and the present legislation has gone entirely contrary to the law on the subject. Even with regard to Muhammadan law, I think the present Act goes counter to Muhammadan law in point of inheritance. (*An Honourable Member:* "It does not.") That is my information. According to the Sunni law a person who is not a Mussalman cannot inherit from a Mussalman. Now there is a peculiar

[Mr. N. C. Kelkar.]

anomaly in the case of Hindus. Under Hindu law apostacy dissolves marriage, and this rule is still in force so far as the relations of husband and wife are concerned; but apostacy does not have the effect of preventing inheritance. But a different rule operates with regard to other relations. Under the present Act if the wife of a man who is a Muhammadan becomes a convert to another faith the marriage is dissolved and there are no rights of inheritance. But if a son becomes a convert to another faith, then his rights of inheritance remain intact. These anomalies exist in the present law and my only purpose in sending out this Bill for circulation is to get new light on the possible ways of removing these anomalies.

Mr. President: The question is:

"That the Bill to repeal the Caste Disabilities Removal Act, 1850, be circulated for the purpose of eliciting opinions thereon."

The Assembly divided:

AYES—9.

Aney, Mr. M. S.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Couper, Mr. T.
Das, Mr. B.

Kelkar, Mr. N. C.
Moonje, Dr. B. S.
Mukherjee, Mr. S. C.
Neogy, Mr. K. C.

NOES—29.

Abdul Haye, Mr.
Abdul Matin Chaudhury, Maulvi.
Abdul Qaiyum, Nawab Sir Sahibzada.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Ahmed, Mr. K.
Ayangar, Mr. V. K. Aravamudha.
Bajpai, Mr. G. S.
Crawford, Colonel J. D.
Ghuznavi, Mr. A. H.
Gour, Sir Hari Singh.
Graham, Mr. L.
Iswar Saran, Munshi.
Joshi, Mr. N. M.
Jowahir Singh, Sardar Bahadur
Sardar.
Keane, Mr. M.

Kunzru, Pandit Hirday Nath.
Lamb, Mr. W. S.
Mohammad Ismail Khan, Haji
Chaudhury.
Pandya, Mr. Vidya Sagar.
Parsons, Mr. A. A. L.
Rajan Bakhsh Shah, Khan Bahadur
Makhdom Syed.
Rao, Mr. G. Sarvotham.
Rao, Mr. V. Pandurang.
Shah Nawaz, Mian Mohammad.
Siddiqi, Mr. Abdul Qadir.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Taylor, Mr. E. Gawan.
Willson, Sir Walter.

The motion was negatived.

THE INTEREST RESTRICTION BILL.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to move that the Bill to restrict the amount of interest recoverable from debtors be taken into consideration.

Sir, at the outset I think I must bear in mind the warning which Mr. Allison gave the other day in the debate on the Bill introduced by Mr.

Muhammad Yakub. What he said was, I think, that it must be disheartening and discouraging to everyone who makes an effort about these Bills that no Bill of the kind ever reaches the second stage, and therefore it makes me pretty sceptical of the fate of my Bill also, but I am not going to be deterred by any fear about that fate. There is already a Bill before the House, the one introduced by Mr. Muhammad Yakub, but the two Bills, you will find on a comparison, are not precisely the same. My Bill is practically a single clause Bill and it seeks at once to introduce a reform by itself, namely, to extend the principle of *Dam-duppat*, a maximum accumulation of interest not more than 100 per cent. to all classes of people in India. It is admitted that it at present obtains in certain metropolitan cities. It applies to the Bombay Presidency. It governs the whole Hindu community, and therefore it is my purpose to extend the benefit of this *Dam-duppat* principle to all moneylending transactions throughout India. In doing so, I do not of course want to go behind the Usurious Loans Act of 1918 which has been enacted by this Legislature and is still in force. Some of the Members of the House are aware of the history of this question. We have passed, society has passed, Government have passed, through a number of stages over this question. The first stage was, in matters like this, no laws prohibiting usury. The second stage was enactment of usury laws. The third stage was repeal of usurious laws. The fourth stage was enactment of laws to control usury, as is now the case in England and India. Indian legislation in this matter has closely followed English legislation.

Now, with regard to the evils of usury, the subject has been very thoroughly discussed last time, when Mr. Muhammad Yakub introduced his Bill, and therefore I do not want to go into the evil of indebtedness. I do not want to cite very fantastic illustrations which were cited on the floor of the House about debts accumulating by leaps and bounds to very fantastic sums. Now, how is this to be stopped? There are four possible or thinkable remedies in this matter. First of all, there is competition in the money market. Leave money-lenders to compete with one another in the open market and that naturally is supposed to bring down automatically the rate of interest. This of course is an expression of the policy known in political economy as *laissez faire*, leave things alone and leave free scope for demand and supply. But this has admittedly failed. Under conceivable conditions certain money-lenders get a monopoly of money-lending and therefore cannot be touched by this competition. Therefore, the evil of usury still remains. Then, another method or remedy of touching this evil of indebtedness is the development of banking. That, of course, to my mind is the one and the best remedy in this matter. When banking in a country is sufficiently developed, then the rates of interest do not mount very high. But we all know that India is a very very backward country in the matter of banking facilities as was brought out in the debate on the Resolution which was moved by Mr. Haji in the last Session. But we also know that sometimes even in countries which have got banking facilities, they do rely upon certain laws which try to regulate the rate of interest or give powers to courts to interfere with moneylending business of this sort. Then, again, there is a remedy through the intervention of courts which is now embodied in the Usurious Loans Act of 1918. That Act of this Legislature gives power to law courts to go behind the transactions and inquire into the circumstances of the loans and to allow the rates of interest according to their

[Mr. N. C. Kelkar.]

discretion. The last remedy to deal with this evil is, of course, the legislative remedy. Now, as I have said, there is this Act, the Usurious Loans Act of 1918, on our Statute-book. That Act, however, has not prevented the evil as was brought out very prominently during the debate on Maulvi Muhammad Yakub's Bill. I daresay some of the instances of fantastic accumulations of interest which were cited in the course of the debate were instances which did happen, even after the enactment of 1918. If that be a fact, then it proves that the law does not go as far as it should.

Now, supposing we were to resort to law, in how many ways can we do it? Let us consider that for one moment. Speaking of the powers given to law courts under the Act of 1918, we have all seen that the operation of these powers has been very capricious and fateful. If the discretion is used by courts very strictly, then the creditor suffers. If, on the other hand, the discretion is used liberally, then the debtor suffers. Therefore, apart from the powers of intervention of courts, the real remedy would be to give both to the debtor and the creditor certain means of coming to an initial understanding about the maximum accumulation of interest, and *Dam-duppat*. I claim, does give that guidance and understanding. Mr. Allison, on the last occasion, objected to *Dam-duppat* on certain grounds. First of all, he said, it was a primeval or primitive method of dealing with usury. But if he had referred to my Statement of Objects and Reasons, he would have found me there quoting a great authority, who certainly is not a primitive authority, and that is Professor Keith. Now, just imagine Mr. Allison calling it a primitive method, when our ancient law-givers and the Roman ancient law-givers prescribed *Dam-duppat* as the best remedy for the evil of indebtedness. I have expressly stated in my Statement of Objects and Reasons that no less an authority than Professor Keith has come forward and recommended for the general economic condition and general indebtedness throughout Europe this particular method or remedy. I may perhaps agree with Mr. Allison if he says that Manu is a primitive authority, but Professor Keith certainly is not a primitive authority, nor is Europe primitive for which this remedy is prescribed. Mr. Allison's second objection was that *Dam-duppat* interferes with the sanctity of contracts. But, may I ask him, where is the sanctity of contracts? Even under the Act of 1918, which does give great powers to law courts to interfere with the terms of contracts entered into by the moneylender and the debtor, there is no sanctity of contracts. Therefore, his argument that *Dam-duppat* interferes with the sanctity of contracts is not sound to my mind. Then he says it restricts the flow of credit. That is his third argument against *Dam-duppat*, but he also admits that undivided flow of credit is not desirable. So there is no point in his statement that it restricts the flow of credit. There must be a certain amount of flow of credit, I admit, but *Dam-duppat* puts down a very reasonable and natural limit at which that flow of credit must stop.

Now I would just put before this House a few advantages as I see them which can be derived from the doctrine of *Dam-duppat*. First of all the debtor's maximum liability is fixed, and therefore it ceases to run on indefinitely afterwards. That is a great gain. Now what does it do in effect? As soon as accumulation stops at a particular limit, then the creditor begins to think what he should do with regard to

realisation of his debt, and as soon as *Dam-duppat* is reached, the creditor is driven to a law court to make an effort at realisation of his debt, and this on the whole is very good for the debtor. If the creditor is not driven by this accumulation of interest then he will not take action. The amount of interest will go on running and the flow of credit, as Mr. Allison will have it, would continue to flow incessantly. But in what position would the debtor find himself ultimately? *Dam-duppat* is a warning to the creditor on the one side and a help to the debtor, because he is roused from the apathy in which he generally remains. The debtor has of course got to pay sooner or later, so the sooner he is called upon to pay the better for him. Now *Dam-duppat* it is supposed comes in the way of the debtor for getting time if he wants extension of time for the loan, but *Dam-duppat* certainly does nothing of the kind, because the debtor can sit down with the creditor, make his account, pay his interest up to that time and make a new transaction. This is a warning to close the old transaction, and it is a half-way house where both parties can sit down and settle accounts and open a new transaction. Then *Dam-duppat* puts an automatic limit upon the rate of interest; that is my principal argument in favour of *Dam-duppat*. It does this automatically and without any law, and it restricts the rate of interest. If repayment is sought, say in six years, the rate of interest may go up to 16 per cent. simple interest. If you want it at eight years, the rate may come down to $12\frac{1}{2}$ per cent. Assuming that 6 per cent. is a reasonable rate of interest, then the debtor and creditor get about 16 years to complete the transaction. Therefore whatever the rate of interest as between the creditor and the debtor which may be imposed, this *Dam-duppat*, which is a fixed and arbitrary limit, gives automatic suggestions as it were to the creditor and debtor to settle the rate of interest which the law cannot do and which the law should not do.

Now some may say that this will not prevent a high rate of interest. Say the rate of interest is 33 per cent., then the *Dam-duppat* can be reached in three years. I can quite see that. Of course that sort of extraordinary rate of interest cannot be prevented by *Dam-duppat*; but then I fall back, I rely on the Usurious Loans Act of 1918. If there is an agreement that *Dam-duppat* should be arrived at within three years and the rate of interest is 33 per cent., of course that is an extraordinary rate of interest and the debtor can go to court under the Usurious Loans Act and say to the court, "This has been an unconscionable contract of money-lending" and the court can interfere. Therefore, the *Dam-duppat* automatically at one end supplies restraint and at the other end leaves resort to this law of 1918 also quite open to the debtor. And, lastly, you will see that *Dam-duppat* doctrine, apart from being enunciated by ancient and time-honoured jurists, has never been abrogated either by the Contract Act or the Transfer of Property Act. It still is in vogue. In conclusion I may refer to the recommendation made by Professor Keith in this matter. He has distinctly suggested that in Europe, if they were to take up this doctrine of *Dam-duppat*, it would help the present badly indebted condition of Europe. Therefore I move that this Bill be taken into consideration.

Mr. F. W. Allison (Bombay: Nominated Official): Sir, my Honourable friend has thought it good tactics to refer immediately when he began his remarks to an objection which he must have anticipated would be

[Mr. F. W. Allison.]

taken to his present motion; though indeed he slurred over that objection and proceeded almost at once to an examination of his proposals on their merits. The objection I think is obvious. It must be within the recollection of the House that four or five weeks ago Maulvi Muhammad Yakub brought forward a Bill, which I submit, in principle at any rate if not in actual terms, is identical with the present Bill; and therefore I would suggest that it is undesirable to have two Bills relating to the same subject under the consideration of the Assembly at the same time. It is still more undesirable that we should proceed to the consideration of the present Bill while the Bill of my Honourable friend Maulvi Muhammad Yakub has actually been circulated for the purpose of eliciting public opinion. The House will remember that on that occasion I put forward on behalf of Government certain objections, patent objections, which seemed to me, and possibly to other Members of the House, almost insuperable. At the same time it was explained that Government, any Government, must consider with the greatest anxiety the increasing burden of agricultural debt in this country and that it would not be wise to leave unexplored any avenue which might possibly afford a means of alleviating that burden. It was on those considerations that Government did not oppose the motion of my Honourable friend for circulation, and I think it was on those considerations that the House in general accepted the motion. My Honourable friend Mr. Kelkar has gone to some extent into the merits of the Bill. I do not propose, Sir, at this stage to be drawn into an argument with him with regard to the merits of the Bill. I think I could give very convincing answers to the arguments he has put forward, and I think there are other Members of the House who would be only too pleased to have an opportunity of doing so. I will simply refer to the objection that I raised first, namely, that the two Bills are identical. My Honourable friend, Maulvi Muhammad Yakub, introduced a Bill to limit the interest charged on loans of various kinds in British India and to bring the law in conformity to the needs of the people. That was the avowed purpose of his Bill. My Honourable friend, Mr. Kelkar, brings in a Bill to restrict the amount of interest recoverable from debtors. I submit, Sir, that the purpose of the two Bills is identical. Further, when we consider the two Bills, we find that in each of them there is practically only one operative clause of real importance. With your permission, Sir, I will read out clause 2 of the Bill of my friend, Maulvi Muhammad Yakub:

"No creditor, whether of a secured or unsecured loan, shall be entitled to recover interest, either payable at one time or by instalments, exceeding the principal amount originally lent or due at the date of suit, whichever is less."

In the Bill which we are now considering the only operative clause is clause 3 which reads as follows:

"Notwithstanding anything to the contrary in the Usurious Loans Act, 1818, or section 74 of the Indian Contract Act, 1872, no creditor shall be entitled to interest exceeding the amount of the debit."

I submit, Sir, that in those two clauses I have given to the House all that is really important in either of the two Bills; and I further submit that the two Bills are in practice identical. For these reasons, Sir, I would suggest to my Honourable friend that he should withdraw his Bill; and when the

Bill of my friend, Maulvi Muhammad Yakub, is brought before the House, he will be at liberty if he wishes to frame any such amendments as may seem to him desirable for the purpose of adding to that Bill anything which he may think lacking in it, and which is not included in the present Bill. I am to say, Sir, that without any reference to the merits, the Government propose to oppose the motion made on that ground. If, however, the House desires to proceed with the Bill, then at a later stage I shall be prepared to argue the case on its merits.

Mr. President: I should like to know from the Honourable Member what objection he has to the course suggested by the previous speaker. If the two Bills are identical, the proper course for him is to withdraw this Bill and endeavour to have suitable amendments made in the other Bill.

Mr. N. C. Kelkar: Yes, Sir. After hearing the speech of the Honourable Mr. Allison and what you have said, I think I shall withdraw my motion.

Mr. President: The question is:

"That leave be given to withdraw the Bill to restrict the amount of interest recoverable from debtors."

The motion was adopted.

Mr. N. C. Kelkar: Sir, I withdraw the Bill.

THE INDIAN LIMITATION (AMENDMENT) BILL.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to move that the Bill further to amend the Indian Limitation Act, 1908, for a certain purpose, be taken into consideration.

This Bill is absolutely simple and the matter can be briefly stated thus. According to the Limitation Act certain limitation periods are provided, in two different cases, two different periods, for practically identical purposes. The purpose is, let us assume, an attempt by a minor after he comes of age to set aside a transaction of immoveable property or alienation of immoveable property made by his guardian—mother, father or somebody acting for him. Then the law of limitation fixes a period within which he may try to set aside and annul that transaction. Now for this identical purpose, the law provides in two different Articles of the Limitation Act two different periods of limitation. In Article 44, where the alienator or the party responsible for the transaction of alienation of immoveable property of the minor is the mother or other guardian, the period of limitation is only three years. In other cases, supposing it is the father who actually does that transaction of alienating the property and the minor finds that he has a bad bargain and wants to annul it, it is 12 years. Looking into the cases under this Article No. 44, nobody finds any clue why this differentiation is made when the purpose of the remedy is the same, when the person benefited is the same, the relief sought to be given is identical, and the nature of the transaction is also identical. In one case it is the father and in the other case it is a guardian, say, the mother. It stands to reason that when the mother is the guardian and she does a certain

[Mr. N. C. Kelkar.]

transaction in the nature of alienating the immoveable property of the minor, it is more or less the case that the transaction is an imprudent one. In this case, naturally the minor after coming of age should have as much period of limitation as in the case of transactions by the father. So, you have got on hand two things, a shorter period of limitation for a transaction entered into, say, by the mother, and a longer period of limitation for a transaction entered into by the father, whereas obviously the one is more likely to be imprudent than the other. That is the only purpose of my Bill. Of course, being a technical matter it cannot be dealt with in this House. It is a matter for legal luminaries like my Honourable friend, Sir Hari Singh Gour, to illuminate upon, and I am only seeking to send the Bill out for eliciting opinion. When the Bill is sent out to the different Bar councils, to committees of pleaders, and lawyers and judges, and so on, we shall receive their opinions on the same, and then we shall be in a position to find out whether there is any justification for the period of limitation being shorter in one case than in the other case. That is my only purpose.

Sir, I move.

The Honourable Mr. J. Crerar (Home Member): Sir, I move that the Bill be circulated for the purpose of eliciting opinions thereon. After listening to the concluding remarks of my Honourable friend, I take it that he accepts my motion. If so, I need not detain the House.

Mr. President: The original motion was:

"That the Bill further to amend the Indian Limitation Act, 1908, for a certain purpose, be taken into consideration."

Since which the following amendment has been moved:

"That the Bill be circulated for the purpose of eliciting opinions thereon."

The question I have to put is that that amendment be made.

The motion was adopted.

Mr. President: Mr. Amar Nath Dutt.

(The Honourable Member was absent).

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 27th March, 1928.

LEGISLATIVE ASSEMBLY.

Tuesday, 27th March, 1928.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

MEMBER SWORN.

Mr. Arthur Beatson Reid, M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

POSITION OF MEMBERS OF THE BAR APPOINTED TO SUPERIOR JUDICIAL POSTS WITH REGARD TO PROMOTION TO A HIGH COURT JUDGESHIP.

545. *Pandit Hirday Nath Kunzru: With reference to section 101 of the Government of India Act, will Government state what is the exact position of the members of the Bar who are appointed to superior judicial posts with regard to promotion to a High Court Judgeship? Will they be regarded as barristers or vakils under clauses (a) and (d) of sub-section (3) of section 101, or as persons having held judicial office not inferior to that of a subordinate judge or of a judge of a Small Cause Court under clause (c)?

The Honourable Mr. J. Crerar: This is a question of interpretation and from the terms of the section indicate that in law members of the Bar appointed direct to judicial posts would for the purpose of appointment as Judges of a High Court fall within the categories mentioned in clause (a) or (d) as well as within that mentioned in clause (c).

POSITION OF MEMBERS OF THE BAR APPOINTED TO SUPERIOR POSTS FOR PURPOSES OF PROMOTION TO JUDGESHIPS OF THE OUDH CHIEF COURT.

546. *Pandit Hirday Nath Kunzru: (a) Are Government aware that under the Oudh Court Act IV of 1925 of the five judges of the Oudh Chief Court two should be members of the Indian Civil Service, two should be members of the Bar and one should be a member of the United Provinces Civil Service?

(b) Will a member of the Bar who is appointed to a superior judicial post be regarded as belonging to the Bar or to the Provincial Civil Service for the purpose of promotion to a Judgeship of the Chief Court?

The Honourable Mr. J. Crerar: (a) Yes.

(b) A member of the Bar appointed direct to a superior judicial post would be treated as belonging to the Bar for the purpose of promotion to a Judgeship of the Chief Court.

ANONYMOUS LETTERS CONTAINING COMPLAINTS ADDRESSED TO THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

547. *Mr. Anwar-ul-Azim: Is it a fact (a) that the present senior Deputy Director-General of Posts and Telegraphs has issued office orders to the effect that no action will be taken on anonymous letters containing complaints, (b) that an assistant of the office cannot approach the Director-General and the Deputy Director-General nor can he write to them in his individual capacity without coming through the Office Superintendent? If the replies to (a) and (b) be in the affirmative, do these orders apply also in cases where the Superintendent himself happens to be the aggressor, persecutor or a dishonest man?

Mr. H. A. Sams: (a) Yes, under orders of the Director-General.

(b) The Director-General and Deputy Director-General are both readily accessible to any clerk or others of the Department. Written communications must be sent through the Chief Superintendent, as the Office Superintendent is now called. A copy can always be sent direct to the officer concerned.

With regard to the last part of the question the clerk concerned can approach the Director-General or Deputy Director-General personally or send a duplicate of his communication direct.

ENQUIRY BY MR. KING OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS INTO THE CONDUCT OF THE OFFICE SUPERINTENDENT.

548. *Mr. Anwar-ul-Azim: Is it a fact (a) that the Director-General of Posts and Telegraphs or the Deputy Director-General authorised Mr. King to enquire into the conduct of the Office Superintendent on having received some complaints against the Superintendent for some injustices done to Mussalmans, and (b) that some questions were put lately in the Assembly challenging the capacity and authority of Mr. King and the senior Deputy Director-General?

Mr. H. A. Sams: (a) Only one complaint was received, namely, from a Muslim temporary clerk who is now working in another Department. Mr. King was instructed to enquire into the facts of the case, not into the conduct of the Office Superintendent.

(b) Government are not in a position to say what led certain Honourable Members of this House to put the questions referred to by the Honourable Member.

STOPPAGE OF THE INCREMENTS OF POSTAL OFFICIALS BY MR. G. D. BAJPAI DURING HIS TENURE AS POSTMASTER, LUCKNOW.

549. *Mr. Anwar-ul-Azim: (a) Will the Government be pleased to furnish the following information:

1. How many officials' increments were stopped by Mr. G. D. Bajpai during his tenure as Postmaster, Lucknow?
2. How many of these officials were allowed to draw their annual increments by his successor Mr. Newton, Postmaster, Lucknow?

3. How many officials' increments were stopped and how many officials were stopped at efficiency bars by Mr. G. D. Bajpai, Postmaster, Delhi?
4. Is it a fact that the recommendations for allowing an official to cross the bar entirely depend on the will of the Postmaster or Superintendent? If it is so, why?

The Honourable Sir Bhupendra Nath Mitra: (a) 1. 19.

2. 9.

3. 8 and 7 respectively.

4. The answer is in the negative.

CHARGES OF ALLEGED CHEATING AGAINST TRAVELLING TICKET COLLECTORS OF THE EASTERN BENGAL RAILWAY.

550. ***Mr. Dharendra Kanta Lahiri Chaudhury:** (a) Are Government aware that one Mr. C. Mathews of the Eastern Bengal Railway is undergoing his trial at present on an alleged charge of cheating the said Railway and receiving illegal gratification?

(b) If so, is it a fact that six other subordinate Travelling Ticket Collectors working under Mr. Mathews were also charged with abetment of the alleged offences and the Agent, Eastern Bengal Railway, has summarily discharged all these Travelling Ticket Collectors from service?

(c) Will Government be pleased to state what procedure they adopt in the cases of under-trial employees of the State? Are they temporarily suspended from service pending decision of the court or summarily discharged? Will the Government please state what procedure has been adopted in the present case?

The Honourable Sir Basil Blackett: Enquiry is being made and information will be supplied to the Honourable Member in due course.

ARREST OF HAVILDAR HADI ALI KHAN OF THE 11-15TH PUNJAB REGIMENT (INDIAN TERRITORIAL FORCE).

551. ***Mr. Muhammad Rafique:** Will the Government be pleased to furnish the following information:

- (a) If it is a fact that Havildar Hadi Ali Khan of the 11/15th Punjab Regiment (Indian Territorial Force) was placed under arrest by the Commanding Officer, Major J. E. Waller, during the last training season?
- (b) Whether a court-martial was appointed to try him and the same was notified in regimental orders?
- (c) If the answer to (a) and (b) be in the affirmative, is it a fact that he was released subsequently without any trial?

ARREST OF MOHAMMAD ISHAQ, A SECOND LIEUTENANT OF THE 11-15TH PUNJAB REGIMENT (INDIAN TERRITORIAL FORCE).

552. ***Mr. Muhammad Rafique:** Will the Government be pleased to state the circumstances under which Mohammad Ishaq, a Second Lieutenant of the 11/15th Punjab Regiment was kept under close arrest for over

ten days on mere suspicion of having written an anonymous postcard and was released at the end of the training without having had any trial?

Mr. G. M. Young: With your permission, Sir, I will answer questions Nos. 551 and 552 together.

I am making enquiries and will inform the Honourable Member of the result in due course.

NUMBER OF RESIGNATIONS TENDERED BY OFFICERS OF THE 11-15TH PUNJAB REGIMENT (INDIAN TERRITORIAL FORCE) DURING THE LAST THREE YEARS.

553. ***Mr. Muhammad Rafique:** (a) Will the Government be pleased to state the number of resignations tendered by the territorial officers of the 11/15th Punjab Regiment during the last three years?

(b) Is it a fact that some of these were due to pressure by the Commanding Officer?

(c) If the Government have no information as to (b), are they prepared to enquire into the matter?

Mr. G. M. Young: (a) Seven

(b) Government are informed that this is not the case.

(c) Does not arise.

COMMANDING OFFICER OF THE 11-15TH PUNJAB REGIMENT (INDIAN TERRITORIAL FORCE).

554. ***Mr. Muhammad Rafique:** (a) Will the Government be pleased to state the policy they adopt in the appointment of Commanding Officers to the battalion?

(b) Is it not a fact that the Commanding Officer usually belongs to the group to which the battalion belongs?

(c) Does the Commanding Officer of the 11/15th Punjab Regiment belong to the group of the battalion?

(d) Is it a fact that his period of service having expired he has applied for one year's extension of service? In case it is given, will it be superseding the claims of some of the senior officers of the battalion?

Mr. G. M. Young: (a) The Honourable Member is referred to the answer I gave on the 10th March to starred question No. 399.

(b) Yes.

(c) No, Sir.

(d) The answer to the first portion of the question is in the negative. The latter portion does not arise.

COMPANY OFFICERS OF THE 11-15TH PUNJAB REGIMENT (INDIAN TERRITORIAL FORCE).

555. ***Mr. Muhammad Rafique:** (a) Is it a fact that the Commanding Officer of the 11/15th Punjab Regiment filled up a vacancy of one platoon by Sikh recruits?

(b) Is it a fact that there is one company officer to four platoons?

(c) Is it a fact that of the 8 platoons, consisting of 4 platoons Hindus, 1 platoon Sikhs, 3 platoons Muhammadans, the company officers are a Hindu and a Sikh?

(d) Why is there no Muhammadan company officer?

Mr. G. M. Young: Enquiries are being made and the result will be communicated to the Honourable Member in due course.

REPRESENTATION OF MUSLIMS IN THE INDIAN METEOROLOGICAL DEPARTMENT.

556. ***Mr. A. H. Ghuznavi:** (a) Will Government be pleased to give the total number of Meteorologists and Assistant Meteorologists employed in the Indian Meteorological Department, and to state how many of them are Hindus and how many are Muslims?

(b) Will Government be pleased to state how many of the ministerial staff, such as office superintendents, mechanic assistants and clerks engaged in the Indian Meteorological Observatories at the following places, are Hindus and how many are Muslims:

Simla, Calcutta, Kodaikanal, Madras, Bombay, Karachi and Agra?

(c) Will Government be pleased to state the reasons why the proportional communal representation is not given effect to in making appointments in the Meteorological Department?

The Honourable Sir Bhupendra Nath Mitra: (a) 22, of whom 19 are Hindus and 1 Muslim.

(b) The figures are:

Simla	Hindus	36	Muslims	26
Calcutta	„	33	„	Nil.
Kodaikanal	„	9	„	Nil.
Madras	„	9	„	Nil.
Bombay	„	18	„	Nil.
Karachi	„	6	„	Nil.
Agra	„	51	„	23

(c) The attention of the Honourable Member is invited to the reply given by me to part (b) of Sardar Gulab Singh's question No. 312 on the 7th February 1927. Effect is being given as far as possible to the declared policy of Government as regards communal representation when vacancies occur.

EXEMPTION OF SOLDIER CLERKS IN ARMY HEADQUARTERS FROM THE EXAMINATION OF THE STAFF SELECTION BOARD.

557. ***Mr. A. H. Ghuznavi:** (a) With reference to the reply to clause (h) of starred question No. 1173 on the 20th September 1927, to the effect that Government was not aware of any widespread discontent amongst the civilian clerks of the Army Headquarters for exempting soldier clerks from passing the prescribed test of the Staff Selection Board's examination.

will Government be pleased to state whether it is a fact that the Uncovenanted Association of the Army Headquarters had represented to the Government on the publication of India Army Order No. 418 of 1925, that so far at any rate as the examination for promotion to the Upper Division was concerned, there should be no exemption made in favour of the soldier clerks as it would mean according them more favourable treatment than their civilian confrères?

(b) Is it a fact that in reply to the above representation Government had stated that exemption was made in their case because there were other means to satisfy all necessary requirements?

(c) If so, will Government please state what other means are adopted to test the capabilities of soldier clerks?

(d) Is it a fact that under India Army Order No. 41-S. of the 28th June 1922, soldier clerks were invited to appear at the Staff Selection Board's examination held on the 29th July 1922 with the result that almost all the soldiers who appeared at that examination failed?

(e) Is it also a fact that the decision to exempt soldier clerks from passing the rigid test of the Staff Selection Board was arrived at after this incident?

(f) Will Government be pleased to state why the above quoted special India Army Order was superseded by India Army Order 418 of 1925 and subsequent orders?

(g) Is it the intention of the Government to eliminate qualified Indians from upper division appointments in favour of soldier clerks with inferior educational qualifications in comparison with those required of civilian Indians?

Mr. G. M. Young: (a) Yes.

(b) Yes.

(c) In addition to the First Class Army School certificate, the test of general intelligence and ability in other respects has been applied by the soldier clerk's Commanding Officer who is in a position to form an opinion as to suitability for Army Headquarters. No man is admitted except on the recommendation of his Commanding Officer.

(d) The answer to the first part is in the affirmative. It is not a fact that almost all failed. Many passed and are now employed at Army Headquarters. Those who failed mostly held the War Office certificate of exemption which was given to men, who, owing to the Great War, had had no opportunity of obtaining an Army School Certificate.

(e) Yes, but solely because of the expense and inconvenience of doing otherwise.

(f) The India Army Orders of 1925 and 1922 merely called for the names of candidates. The terms of each order were in accordance with the conditions ruling at the time.

(g) It is not admitted that the educational qualifications of soldier clerks for the work that they have to do are inferior to those required of civilian clerks.

EXTENSION OF THE FUNDAMENTAL RULES IN REGARD TO LEAVE TO CIVILIAN CLERKS PAID FROM ARMY ESTIMATES.

558. *Mr. A. H. Ghuznavi: (a) Is it a fact that the travelling allowance of civilian clerks paid from Army Estimates is governed by the Fundamental Rules while their leave is governed by the Civil Service Regulations?

(b) If so, will Government be pleased to state whether and when is it proposed to extend the Fundamental Rules to the civilian employees referred to above in regard to leave?

Mr. G. M. Young: (a) The Fundamental Rules do not apply to civilian clerks paid from Army Estimates. The civilian clerks at Army Headquarters, to whom I presume the question refers, travel under the Simla Allowance rules if proceeding to or from Delhi for the winter season, and for other journeys are subject to the military travelling rules.

(b) Does not arise.

RATE WAR IN THE KEROSENE OIL MARKET IN INDIA.

559. *Mr. S. C. Mukherjee: (a) Are the Government aware of the price war which has been going on in the kerosene oil market in India for nearly six months owing to the introduction of cheap Russian oil by the Standard Oil Co. of New York and of the apprehension in commercial circles that the price war is likely to result in the early closing down of some of the oil companies producing oil in India unless some measure of protection is given by the Government?

(b) Have Government considered the matter and the question of taking any measures to prevent the destruction of the oil industry in India?

(c) What is the amount of Central and Provincial revenue from oil produced in India?

The Honourable Sir George Rainy: The Government of India have decided to direct the Tariff Board to enquire into the question of safeguarding the Indian oil industry from the injury inflicted by the dumping of kerosene in India. A Resolution on the subject was issued yesterday.

The amount of excise duty collected by the Central Government on kerosene oil is about Rs. 1 crore a year. The Government of India have no information as to the amounts realised by the Provincial Governments from kerosene oil.

Mr. B. Das: In view of the reference of this subject to the Tariff Board, will Government draw the attention of the Tariff Board to the fact that kerosene is used by the poor classes of people and for that reason they will have to go into the matter from the consumer's point of view, so that they may have cheap kerosene oil?

Mr. President: The Honourable Member is asking the Government to take action.

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REVISION OF THE PAY AND RETIRING GRATUITY OF THE MINISTERIAL STAFF
OF THE EASTERN BENGAL RAILWAY.

564. ***Mr. B. Das:** (a) Have Government any scheme under consideration for the revision of the pay and retiring gratuity of the ministerial staff of the Eastern Bengal Railway?

(b) Have Government received any report of a Committee appointed by the E. B. Railway Indian Employee's Association on the subject? If so, what action do Government propose to take thereon?

Mr. A. A. L. Parsons: (a) No.

(b) A copy was sent to them. The Railway Board do not propose to take any action.

ALLOTMENT OF QUARTERS TO THE ESTABLISHMENT OF THE INDIAN STORES
DEPARTMENT IN NEW DELHI.

565. ***Mr. B. Das:** Will Government be pleased to state:

(a) Is there a paucity of Government quarters?

(b) Before making allotment of quarters do all or most of the offices of the Government of India send round a circular enquiring which members of the establishment will make their own arrangements?

(c) Was this being done every year in the Indian Stores Department? Was it done this year also in that Department? If not, why not?

(d) What was the period between the date of final allotment of quarters and the date of the move down to Delhi of that Department? Is it correct that it was about ten days?

(e) Did the Government expect members of the staff to make arrangements for accommodation within this period?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Yes.

(c) (i) Yes.

(ii) Yes.

(iii) Does not arise.

(d) The allotments were settled on the 4th October and a notice was circulated among the staff on that date. A few alterations had to be made later in consequence of the non-acceptance by certain individuals of the quarters assigned to them and the whole matter was finally settled on the 7th October, about 10 days before the move of the office from Simla to Delhi. It was not possible to decide the matter earlier, as certain doubtful points, which were under discussion with the Estate Officer, were not cleared up until the 3rd October.

(e) Yes.

ALLOTMENT OF QUARTERS TO THE ESTABLISHMENT OF THE INDIAN STORES
DEPARTMENT IN NEW DELHI.

566. *Mr. B. Das: (a) Was any petition signed by many members of the establishment of the Indian Stores Department submitted to the head of that Department in 1926 requesting his intervention in the matter of allotment of quarters and stating that the signatories to that petition had no confidence in the Direction Section of the Indian Stores Department?

(b) How many members of the staff of the Department are living in the city of Delhi and of these how many are the signatories to the petition referred to above?

(c) Is it a fact that even though there were members of the establishment who were asking for quarters and to whom, if quarters had been allotted, no loss in revenue would have resulted to Government and that although some of the signatories to the petition had made their own arrangements for their accommodation in Delhi City in anticipation they were formally asked by the Chief Superintendent if they wanted quarters in order that they may refuse at that late period the quarters offered to them and thus lose the house rent paid to employes living in the City of Delhi?

(d) Were their cases fully considered, before quarters were offered to them? If so, what was the consideration shown to them?

The Honourable Sir Bhupendra Nath Mitra: (a) A representation was made to the Chief Controller of Stores by 37 members of the Indian Stores Department against the detailed allotment of quarters proposed in his office for the season 1926-27. After personal examination the Chief Controller of Stores was satisfied that the proposed allotment was unexceptionable and fairest both to the Government and to the general body of the members of his establishment.

(b) Twenty-two members of the staff of the office of the Chief Controller of Stores are living in the City of Delhi at present. Six of them signed the petition referred to in part (a) of the question.

(c) The petition to which the Honourable Member refers related to the allotment of quarters in 1926 and no one of the signatories of that petition who had expressed a desire to make his own arrangements was allotted a quarter during that year. In 1927 two of the signatories of the petition, who applied for quarters, were, in strict accordance with the rules, offered quarters which they subsequently refused. There were no other members of the staff of the appropriate class, to whom these quarters could have been offered without entailing a loss in revenue.

(d) Yes. The answer to the second part of the question is that there was no justification for making a special departure from the rules in favour of the individuals concerned.

DISCONTENT IN THE OFFICE OF THE INDIAN STORES DEPARTMENT ON ACCOUNT
OF THE CHIEF SUPERINTENDENT'S TREATMENT OF THE STAFF.

567. *Mr. B. Das: (a) Is it a fact that there is great discontent in the office of the Indian Stores Department?

(b) Have complaints been received regarding the Chief Superintendent's treatment of the staff?

(c) In this connection will the Government of India please say:

- (1) whether the present Chief Superintendent served in the office of the Deputy Accountant General, Central Revenues?
- (2) whether while there, there were complaints against his treatment of the staff there?
- (3) whether he actually submitted his resignation and subsequently withdrew it, and if so, for what reasons?

(d) Are the Government of India prepared to cause enquiries to be made into the grievances of the staff of the Indian Stores Department?

The Honourable Sir Bhupendra Nath Mitra: (a) No.

(b) No.

(c) (1) Yes.

(2) No records are traceable to show this.

(3) Yes, it appears that he tendered his resignation early in 1918 and subsequently withdrew it. The papers leading to his resignation are, however, not traceable and the reasons cannot be specified.

(d) There is no necessity for such an enquiry.

TOTAL NUMBER OF APPLICATIONS SUBMITTED TO THE RAILWAY RATES ADVISORY COMMITTEE, ETC.

568. ***Mr. Ghanshyam Das Birla:** Will Government be pleased to give information on the following points?

- (a) What is the total number of applications submitted to the Railway Rates Advisory Committee to date?
- (b) How many have been rejected entirely and how many withdrawn?
- (c) On how many applications have the Committee submitted their report to the Railway Board?
- (d) In how many cases has the report of the Railway Rates Committee been accepted by the Railway Board entirely and in how many with modifications and in how many cases has the report of the Committee been rejected?
- (e) Of the applications pending before the Railway Rates Committee on which no decision has been given by the Committee, how many were submitted within the last three months and how many within the last six months and how many within the last nine months and how many before nine months?
- (f) Is it a fact that the Committee has not been hearing any applications for the last three months? If the reply is in the affirmative, will the Government state the reason?
- (g) In cases where reports have already been submitted by the Railway Rates Advisory Committee to the Railway Board, will the Government be pleased to state the period which elapsed between the submission of the application to the Committee and the final report by the Committee to the Railway Board in each case?
- (h) Considering the importance to trade and industry of the work of the Railway Rates Committee will Government state if they propose to make any rules for the more expeditious despatch of business by the Railway Rates Committee?

Mr. A. A. L. Parsons: (a) and (b). 32 applications have been submitted to the Railway Board. Of these 7 have been rejected, 8 withdrawn, and 14 sent to the Rates Advisory Committee; one awaits the Railway's statement and two await resumption of the Rates Advisory Committee's sittings.

(c) Four.

(d) Two were accepted entirely and 1 with modifications. One was rejected.

(e) None in the last three months, three in the last six months, two in the last 9 months and five more than 9 months ago.

(f) The sittings of the Committee have been suspended during the last three months owing to the absence of the President of the Committee on leave under medical certificate.

(g) Approximately 4½ months, 4 months, 9½ months and 7 months.

(h) Government do not propose to adopt the course suggested.

Mr. K. Ahmed: In view of the fact that the President of the Rates Tribunal is remaining absent for the last three months, and in view of the fact that certain important matters are now pending, do Government propose to appoint a man to do justice to the cause for which this Committee was formed?

Mr. A. A. L. Parsons: I am glad to say that our latest information is that Sir Narasimha Sarma's health will probably permit him to take up his duties on the Committee again about the middle of next month.

Mr. K. Ahmed: Are Government aware that Sir Narasimha Sarma is a retired officer whose health has been shattered owing to his hard work, and do Government propose to appoint a man who will be able to discharge his duties regularly and properly?

The Honourable Sir George Rainy: I am afraid I must resent the suggestion contained in that question that Sir Narasimha Sarma's services are not of the very highest value in his capacity as President of the Rates Advisory Committee.

Mr. B. Das: Is it not a fact that this Committee is not functioning properly, because it is only an advisory committee, and will Government see their way to appoint a Rates Tribunal instead of this advisory committee?

Mr. A. A. L. Parsons: No, Sir, it is not a fact that the Committee is not functioning properly. Government have no reason whatsoever to complain of the way in which it is functioning.

Mr. B. Das: Is it not a fact that the Acworth Committee recommended the appointment of a Rates Tribunal and not an advisory committee?

Mr. A. A. L. Parsons: I am not sure that the Honourable Member is quoting the Acworth Committee exactly, but both he and I can of course refer to the copy of the report in the Library.

WEIGHT CONDITION IMPOSED BY THE EAST INDIAN RAILWAY ON CONSIGNMENTS OF JUTE.

569. ***Mr. Ghanshyam Das Birla:** (a) Will Government be pleased to state whether it is the practice of the East Indian Railway including the Oudh and Rohilkhand Section to charge railway freight on a minimum load of 200 maunds per wagon in the case of all jute shipped from stations on this line while the actual loading capacity of the wagons supplied does not exceed 135 to 140 maunds?

(b) Is it a fact that in reply to a request for wagons of bigger capacity a circular was issued asking merchants to pay haulage charges if they wanted such wagons?

(c) Why have jute merchants to pay freight for 200 maunds while they actually ship a considerably less quantity?

(d) Are Government prepared to consider the desirability of fixing the chargeable minimum of 150 maunds instead of 200 maunds as at present?

Mr. A. A. L. Parsons: (a) No weight condition is imposed by the East Indian Railway on consignments of jute booked at the ordinary rate, Class 2. A special reduced rate schedule C/L is, however, quoted at owner's risk subject to a minimum charge as for 200 maunds per wagon.

(b) Government have not seen the circular referred to.

(c) The merchants have the option of paying the ordinary rate irrespective of weight.

(d) The Government cannot undertake to consider detailed conditions attaching to special rates, but a copy of the Honourable Member's question and this reply will be forwarded to the Agent, East Indian Railway.

DATE OF THE MOVE OF THE ARMY HEADQUARTERS TO SIMLA.

570. ***Mr. B. Das:** (a) Is it a fact that the Government move to Simla this year has been fixed about the 15th April?

(b) Is it a fact that the Army Headquarters moves up between the 26th and 31st March?

(c) Is it a fact that the move of the Army Headquarters was recently decided to take place between 9th and 13th April and was changed later to take place between 26th to 31st March?

(d) Is it a fact that a deputation of European clerks, both men and women, waited upon the Quartermaster General in connection with the move of the Army Headquarters, and that it was only after this event that the dates were altered?

Mr. G. M. Young: (a), (b) and (c). Yes.

(d) No, Sir.

Mr. B. Das: Is it not a fact that the Honourable the Home Member the other day in reply to a question stated that the housing accommodation at Delhi is quite suitable for people to live in during the summer season, and, if so, what is the hurry on the part of the Army Department to go to Simla?

The Honourable Mr. J. Crerar: I think if the Honourable Member will refer to the terms of my answer which was given on the floor of the House he will see precisely what it conveyed.

Mr. K. C. Neogy: Is it a fact that the longer stay of the Government this season in Delhi has been decided upon as the result of certain directions received from the Secretary of State?

The Honourable Mr. J. Crerar: No, Sir.

QUESTIONS NOT PUT AT THE MEETING, OWING TO THE ABSENCE OF THE QUESTIONER, WITH ANSWERS THERETO.

PREVENTION OF THE EXPORT OF GOOD MILCH COWS AND BUFFALOES TO THE TOWNS.

560. ***Mr. Mukhtar Singh:** Has the attention of the Government been drawn to the Resolution No. 16 of the Board of Agriculture in India held at Coimbatore in 1918, in which they recommended the stopping of the drain of good milch cows and buffaloes to the towns where they are not utilised for breeding purposes to the best advantage? If the answer be in the affirmative, will the Government be pleased to state the steps taken to bring about the necessary legislation?

Mr. G. S. Bajpai: Yes. The Resolution referred only incidentally to the stoppage of the sending of milch cows and buffaloes to towns, and proposed legislation principally with the object of improving urban milk supplies. The Government of India considered the matter in consultation with Local Governments in connection with the question of legislation for preventing the adulteration of articles of food, and decided that any legislation that may be required should be left to the provincial Legislatures.

DATE OF THE MOVE OF THE GOVERNMENT OF INDIA AND ARMY HEADQUARTERS OFFICES TO SIMLA.

561. ***Mr. Mukhtar Singh:** Will the Government be pleased to state whether the general date of the move of the Government of India as approved by H. E. the Viceroy is 14th April, 1928? If so, whether the Army Headquarters officers (including Army Department Secretariat and Military Finance Department) will also move on the same date? If not, why not?

Mr. G. M. Young: The general date for closing the Government of India offices in New Delhi is the 14th April. The Army Headquarters Offices will move to Simla at the end of this month, because their temporary quarters in Old Delhi are unsuitable after 1st April from the medical point of view. It is, moreover, customary for the offices of Army Headquarters to precede those of the Government of India in the move to Simla, in order to avoid undue congestion of traffic. The offices of the Deputy Financial Advisers, Military Finance, will move to Simla with the Army Headquarters Offices, as the former must work with the latter. The Financial Adviser's Office will proceed to Simla as soon as the budget work is over. The Army Department Secretariat will move with other Departments about the 14th April.

IMPOSITION OF AN EXPORT DUTY ON OILSEEDS AND CAKES.

562. ***Mr. Mukhtar Singh:** Has the attention of the Government been drawn to Resolution No. 7 of the Board of Agriculture held at Pusa in 1919, in which they recommended the imposition of an export tax on oil-seeds and cakes? If the answer be in the affirmative, will the Government be pleased to state what steps they have taken to give the Resolution a practical shape?

IMPOSITION OF AN EXPORT DUTY ON BONE AND BONE-MEAL.

563. ***Mr. Mukhtar Singh:** Is it a fact that the Agricultural Board recommended the imposition of an export tax on bone and bone-meal? If so, will the Government be pleased to state what steps the Government have taken to impose such a tax?

Mr. G. S. Bajpai: With your permission, Sir, I shall answer questions Nos. 562 and 563 together. The Board of Agriculture did recommend the imposition of an export duty on oil seeds and cakes, but doubts arise about the recommendation subsequently and in 1922 the Board proposed that the whole position should be examined by a small committee of experts. This investigation could not, however, be undertaken for financial reasons, and the recommendation made by the Fiscal Commission also operated to relegate to the background the suggestion to impose an export duty on these fertilisers. As regards bone and bone-meal the Board did not recommend a tax, but the prohibition of the export of these commodities. The whole question is now under examination by the Royal Commission on Agriculture and will be considered by Government when the report of the Commission is received.

SHORT NOTICE QUESTION AND ANSWER.

APPLICATION OF THE COLOUR BAR BILL TO NATAL.

Pandit Hirday Nath Kunzru: (a) Has the attention of Government been drawn to the telegram, published in the *Hindustan Times* of the 26th March, to the effect that the Colour Bar Act has been made applicable to Natal?

(b) Will Government be pleased to make a full statement on the subject?

Mr. G. S. Bajpai: (a) Yes.

(b) Government telegraphed to Mr. Sastri for a report and have been informed that it was notified in the Gazette on the 16th that the Mines and Works Amendment Act which became law in 1926 would become operative from the 17th March. The exact significance of this announcement is not yet known, but inquiries on the subject have been made. The Natal Congress have made no representations against the announcement either to the Union Government or the Government of India, nor do they appear to be anxious about the matter.

Pandit Hirday Nath Kunzru: After Government have received the information that they are trying to obtain will they publish a communiqué on the subject for the information of the public?

Mr. G. S. Bajpai: The Honourable Member's suggestion will be considered by Government.

UNSTARRED QUESTIONS AND ANSWERS.

SEPARATION OF THE EXECUTIVE AND JUDICIAL FUNCTIONS.

461. Mr. C. S. Ranga Iyer: (a) Is it a fact that the Government of India have or have been in correspondence with the present Secretary of State for India with regard to the separation of the executive and judicial functions in India?

(b) Do the Government of India propose to take steps to separate the judicial and executive functions?

(c) Will the Government be pleased to place the said correspondence on the table?

The Honourable Mr. J. Crerar: (a) and (b). The matter is under consideration in correspondence with the Secretary of State.

(c) Government regret their inability to place the correspondence on the table.

RECRUITMENT OF KHATTRIS, ARORAS AND AGGARWALS TO THE INDIAN ARMY.

462. Lala Lajpat Rai: (a) Is it a fact that all castes and classes of the people of India are not eligible for recruitment in the Indian Army?

(b) Is it a fact that the Khattris, Aroras and Aggarwals are not eligible for recruitment?

Mr. G. M. Young: (a) Yes.

(b) Yes, with the exception of Khattri Sikhs.

TELEGRAPHISTS AND TELEGRAPH MASTERS OF THE LOCAL SERVICE.

463. Mr. Amar Nath Dutt: With reference to the reply of the Honourable Member in charge of Industries and Labour to question No. 30 (a) answered in the Assembly on 31st January 1927, regarding telegraphists and telegraph masters of the Local Service, will Government be pleased to state whether the same rule applies to postal recruited men when transferred to the Telegraph Department, namely, of counting the total length of postal service as was done in the case of Local Service men when transferred to the General Services? If the answer be in the negative, will Government be pleased to state what the reasons are for the same?

The Honourable Sir Bhupendra Nath Mitra: The reply to the first part of the question is in the negative. The transfer of officials from the Local to the General Service is one involving no change of duties, whereas in the case of postal recruited telegraphists the transfer is from a clerical service in the Postal Branch to service as telegraphists in the Telegraph Branch. It may, however, be added that all transfers from one scale to another are now effected in accordance with rule 22 of the Fundamental Rules.

MEMORIAL OF POSTAL RECRUITED TELEGRAPHISTS.

464. Mr. Amar Nath Dutt: With reference to the reply of the Honourable Member in charge of Industries and Labour to question No. 377 (b) answered in the Assembly on the 25th of August 1927, regarding postal recruited telegraphists, will Government be pleased to furnish reasons for withholding the memorial?

The Honourable Sir Bhupendra Nath Mitra: The memorial was withheld under rule XI (13) of the Rules for the submission of memorials to the Secretary of State, because the specific prayer was for the grant of monetary concessions to which the memorialists were not entitled according to the conditions accepted by them at the time of their transfer or under any rule in force at the time.

CLAIMS OF POSTAL RECRUITED TELEGRAPHISTS.

465. Mr. Amar Nath Dutt: (a) With reference to the reply of the Honourable Member in charge of Industries and Labour to question No. 207 (d) answered on 28th February 1925, regarding the claims of postal recruited telegraphists, will Government be pleased to state whether the Committee of 1921 discussed the question regarding postal recruited telegraphists?

(b) If the answer to question (a) be in negative, will Government be pleased to state the reasons for referring the Committee's reply to the Union?

(c) Will Government be pleased to state whether they have not reconsidered the decisions of several Committees against which protests were raised by different associations and whether they did not modify the orders and grant the demands prayed for by the different associations?

(d) If the answer to question (c) be in the affirmative, will Government be pleased to state the grounds under which they refuse to reconsider the question of granting the postal recruited men their service in the Postal Department for purposes of increment?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes.

(b) Does not arise.

(c) The Government of India are not bound to accept the conclusions arrived at by any Committee though due weight is given to such conclusions in issuing orders on the matters dealt with. It is quite likely that there have been cases of the kind suggested in this part of the Honourable Member's question.

(d) The matter was carefully reconsidered by Government in 1926 in connection with various representations on the subject and they saw no justification for modifying the previous decision. The Honourable Member's attention is drawn to the reply given in this House on the 31st January, 1927, to Mr. M. K. Acharya's unstarred question No. 26.

PAY OF MISTRIES EMPLOYED IN THE TELEGRAPH DEPARTMENT.

Mr. Amar Nath Dutt: With reference to the reply of the Honourable Member in charge of Industries and Labour to question No. 382 (b) answered in the Assembly on 25th August 1927, regarding mistries will Government be pleased to state whether they have considered the

question and if so, will Government be pleased to state the decision that has been arrived at?

Mr. H. A. Sams: The matter is still under investigation and the result will be intimated to the Honourable Member as soon as a decision is reached.

STOPPAGE OF RECRUITMENT TO THE GENERAL SERVICE OF THE TELEGRAPH DEPARTMENT FROM THE COONOR AND LOVEDALE SCHOOLS, ETC.

467. Mr. Amar Nath Dutt: 1. (a) Will Government be pleased to state what the system of recruitment to the General Service was before 1920 and whether any distinction was then made between Indians, Europeans and Anglo-Indians for admission to the General Service?

(b) If the answer to question 1 (a) be in the affirmative, will Government be pleased to state what steps are being taken to abolish the distinction now maintained?

2. (a) In view of the statement made on the 11th of March 1926, on the floor of the Assembly by the Honourable Member in charge of Industries and Labour, that recruitment had already been stopped except in cases where Government had made commitments and such commitments would expire next year, will Government be pleased to state the grounds under which they have allowed recruitment from Coonor and Lovedale schools?

(b) Will Government be pleased to state when the contracts were entered into with the schools from which the recruitments are being made to the General Service and when those contracts will expire?

(c) Will Government be pleased to state the number of men recruited to the General Service from the different schools subsidised for this purpose after the 11th of March 1926?

3. (a) Will Government be pleased to state whether it is a fact that recruitment to the Station Service of the Telegraph Department is made only through two schools and that, only in Calcutta?

(b) If the answer is in the affirmative, will Government be pleased to state what staff it maintains to supervise the teaching in these schools, whether the apparatus is supplied and maintained by Government and whether any fee is paid to the school for each student while under training and whether any bonus is also paid on a student after passing out?

4. Will Government be pleased to state the reason for confining recruitment to the Station Service of the Telegraph Department only to Calcutta?

5. Will Government be pleased to state whether the desirability of throwing open, the Station Service to the whole of India will be considered?

The Honourable Sir Bhupendra Nath Mitra: 1. (a) The system before 1920 was:

(i) By direct recruitment

and (ii) By transfer from the Local Service.

Direct recruitment was confined to Anglo-Indians, while the transfers from the Local Service were mostly those of Indians. In this connection the

attention of the Honourable Member is drawn to the reply given by me on the 27th January 1926 to part (a) of Mr. M. K. Acharya's starred question No. 331.-

With regard to (b), the whole question of the future recruitment to the Signalling Establishment is under the consideration of the Government of India.

2. (a) The Honourable Member is apparently referring to my budget speech of the 11th March, 1927. The attention of the Honourable Member is drawn to the reply given by the Director-General to Mr. N. M. Joshi on the 1st February, 1928, to his starred question No. 27.

2. (b) The Agreements with the schools now supplying recruits to the General Service were entered into on the dates given below:

Lawrence Memorial School, Lovedale, 19th May, 1925.

St. Joseph's College, Coonoor, 9th July, 1921.

St. Fidelis' High School, Mussoorie, 14th February, 1922.

Barnes High School, Deolali, 4th July, 1922.

Although a formal Agreement with the Lawrence Memorial School, Lovedale, was not entered into till the 19th May, 1925, a training class was opened in that School in 1867. Agreements are terminable at 12 months' notice on either side.

2. (c) 85.

3. (a) Yes.

3. (b) The Department provides one instructor for each school and supplies and maintains the necessary apparatus. No fee is paid to the school for students under training, but for every candidate admitted into the Department as a Station Service telegraphist from such a training class a bonus of Rs. 70 is paid to the school and Rs. 40 to the candidate.

4. The schools were originally opened in Calcutta as a beginning of the scheme. The question of opening such training classes in other parts of the country was dropped owing to the surplusage in the signalling staff.

5. The whole question is under the consideration of the Government of India.

ARRANGEMENTS FOR THE STATE PRISONERS AND DETENUS IN THE INSEIN CENTRAL JAIL TO PLAY TENNIS.

468. **Mr. Satyendra Chandra Mitra:** (a) Is it a fact that the State prisoners and detenues in the Mandalay Central Jail were allowed to play tennis within the jail compound?

(b) Is it a fact that the State prisoners and detenues in the Insein Central Jail have asked for facilities for playing tennis within the tennis compound? Is it a fact that there is sufficient space within the jail compound to have a tennis ground? Has any recommendation been received from the Jail Superintendent for permission to make necessary arrangements for tennis? If so, with what result?

The Honourable Mr. J. Crerar: (a) Yes.

(b) The Government of Burma are making arrangements whereby it will be possible for State prisoners and detenues confined in the Insein Jail to play tennis.

HEALTH OF STATE PRISONER PRATUL CHANDRA GANGULI.

469. **Mr. Satyendra Chandra Mitra:** Is it a fact that State prisoner Mr. Pratul Chandra Ganguli is not keeping good health at Insein Jail to which he has been recently transferred?

The Honourable Mr. J. Crerar: Mr. Ganguli was ill for a few days in the third week of February, but is now reported to be in good health.

HEALTH OF MR. SURENDRA MOHAN GHOSH, A DETENU IN THE YERWADA JAIL.

470. **Mr. Satyendra Chandra Mitra:** (a) Is it a fact that detenu under the Bengal Criminal Law Amendment Act (Supplementary) Mr. Surendra Mohan Ghosh has been transferred from Mandalay Jail to Yerwada Jail in the Bombay Presidency? Will the Government state reasons for such transfer?

(b) Is it a fact that Mr. Surendra Mohan Ghosh has been suffering from chronic dysentery for a long time?

(c) Is it a fact that Mr. Surendra Mohan Ghosh was suffering from acute chronic dysentery at the time of his arrest in 1924?

(d) Is it a fact that his present weight is considerably below that of the average weight of a man of his height?

(e) Will the Government be pleased to state his present weight?

(f) Is it a fact that the food supplied in the Yerwada Jail is not prepared according to Bengali way of cooking? If so, will the Government state whether any arrangement has been made to prepare his food according to the Bengali method? If not, why not?

The Honourable Mr. J. Crerar: The latest report is to the effect that Mr. S. M. Ghosh's health is fair, but that he suffers from chronic granular pharyngitis. He has at present no dysentery, though it is understood that he has had frequent attacks in the past. Further enquiries are being made about this prisoner's health

DETENTION OF BENGAL STATE PRISONERS AND DETENUS IN JAILS OUTSIDE BENGAL.

471. **Mr. Satyendra Chandra Mitra:** (a) Is it a fact that State prisoners and detenus from Bengal had to be sent to jails outside the province, for want of proper accommodation for them in the Bengal jails?

(b) Is it a fact that since then many of them have been let out of the Bengal jails? If so, do the Government contemplate bringing State prisoners and detenus from outside of Bengal to the Bengal jails? If not, why not?

(c) Is it a fact that those who are lodged in jails outside Bengal, suffer from serious inconvenience from lack of facilities for interview with relations and friends, extreme limitation of the restricted association allowed in jails and the method of preparation of food to which they are not accustomed?

The Honourable Mr. J. Crerar: (a) and (c). I would refer the Honourable Member to the answers that I gave to a similar question of his on the 19th September, last.

(b) In the interval there have been a number of releases from jail. The question of bringing back some of those confined in jails outside Bengal has not been overlooked and is under consideration

GRANT OF PERMISSION TO MR. BEPIN BEHARI GANGULI, A STATE PRISONER TO LOOK AFTER HIS PROPERTIES DURING THE CADASTRAL SURVEY TAKING PLACE IN HIS DISTRICT, ETC.

472. **Mr. Satyendra Chandra Mitra:** (a) Is it a fact that Mr. Bepin Behari Ganguli, a State prisoner, has made several applications for permission for facilities to look after his properties, during the time of the cadastral survey that is going on in his District? If so, do the Government intend to allow him temporarily to go to his place for such time as is required for the purpose? Is it a fact that the time allowed to him for this purpose was not sufficient to finish the work or make proper arrangements for the same? If so, are Government prepared to give him proper facilities for completing the same?

(b) Is it a fact that all the teeth of Mr. Bepin Behari Ganguli have been extracted?

(c) Will the Government be pleased to state whether he has been supplied with artificial teeth? If not, why not?

The Honourable Mr. J. Crerar: (a) I would refer the Honourable Member to the reply given on the 10th instant to a question put by Khan Bahadur Sarfaraz Hussain Khan. Government have no reason to suppose that the time allowed has been inadequate.

(b) Thirteen teeth have been extracted.

(c) The latest report was to the effect that his gum was not yet fit for an impression for artificial teeth.

TREATMENT OF STATE PRISONER SATISH CHANDRA CHAKRABARTI FOR FILARIASIS.

473. **Mr. Satyendra Chandra Mitra:** (a) Is it a fact that State prisoner Mr. Satish Chandra Chakrabarti is suffering from filariasis? Is it a fact that he was improving under the Kabiraj system of treatment? Is it a fact that Kabiraj Syamadas Bachaspati of Calcutta wanted to see the patient and guaranteed his cure if placed under his personal supervision?

(b) Will the Government be pleased to state whether they contemplate to place him under the Kabiraj's treatment and give all necessary facilities for his personal inspection of the State prisoner Mr. Satish Chandra Chakrabarti?

The Honourable Mr. J. Crerar: I have nothing to add to the information that I caused to be sent to the Honourable Member by the Home Department letter No. D-3667 of the 19th November last, a copy of which was laid on the table of this House in answer to question No. 344 asked by Khan Bahadur Sarfaraz Hussain Khan on the 10th of this month. Mr. Chakrabarti is no longer confined in jail, but has been placed in village domicile.

PLACE OF CONFINEMENT AND STATE OF HEALTH OF STATE PRISONER, JYOTISH CHANDRA GHOSH.

474. Mr. Satyendra Chandra Mitra: Will the Government be pleased to state the place where State prisoner Mr. Jyotish Chandra Ghose is kept at present and the present state of his health?

The Honourable Mr. J. Crerar: As regards the State prisoner's health I would refer the Honourable Member to the statement that I laid on the table of this House on the 12th March 1928 in connection with his unstarred question No. 365. I regret that I cannot undertake to give the information asked for in the other part of the question.

EXEMPTION OF SOLDIER CLERKS IN ARMY HEADQUARTERS FROM THE EXAMINATION OF THE STAFF SELECTION BOARD.

475. Kumar Ganganand Sinha: (a) With reference to the reply to clause (h) of starred question No. 1173 on 20th September, 1927, to the effect that Government was not aware of any widespread discontent amongst the civilian clerks of the Army Headquarters for exempting soldier clerks from passing the prescribed test of the Staff Selection Board's examination, will Government please say whether it is a fact that the Uncovenanted Association of the Army Headquarters had represented to the Government, on the publication of India Army Order No. 418 of 1925, that so far at any rate as the examination for promotion to the Upper Division was concerned, there should be no exemption made in favour of the soldier clerks as it would mean according them more favourable treatment than their civilian confrères?

(b) Is it a fact that in reply to the above representation Government had stated that exemption was made in their case because there were other means to satisfy all necessary requirements?

(c) If so, will Government please state what other means are adopted to test the capabilities of soldier clerks?

(d) Is it a fact that under India Army Order No. 41-S. of the 28th June, 1922, soldier clerks were invited to appear at the Staff Selection Board's examination held on the 29th July, 1922, with the result that almost all the soldiers who appeared at that examination failed?

(e) Is it also a fact that the decision to exempt soldier clerks from passing the rigid test of the Staff Selection Board was arrived at after this incident?

(f) Will Government be pleased to state why the above-quoted special India Army Order was superseded by India Army Order No. 418 of 1925 and subsequent orders?

(g) Is it the intention of the Government to eliminate qualified Indians from Upper Division appointments in favour of soldier clerks with inferior educational qualifications in comparison with those required of civilian Indians?

Mr. G. M. Young: The Honourable Member is referred to the reply given to-day to starred question No. 557.

EXTENSION OF THE FUNDAMENTAL RULES GOVERNING LEAVE TO CIVILIAN CLERKS PAID FROM ARMY ESTIMATES..

476. **Kumar Ganganand Sinha:** (a) Is it a fact that the travelling allowance of civilian clerks paid from Army Estimates is governed by the Fundamental Rules while their leave is governed by the Civil Service Regulations?

(b) If so, will Government be pleased to state whether and when is it proposed to extend the Fundamental Rules to the civilian employees referred to above in regard to leave?

Mr. G. M. Young: The Honourable Member is referred to the reply given on the 27th March to starred question No. 558.

EMPLOYMENT OF A LADY CLERK AS STENOGRAPHER TO THE SECRETARY OF THE RAILWAY BOARD.

477. **Kumar Ganganand Sinha:** (a) Is it a fact that the stenographer attached to the Secretary, Railway Board, draws an allowance of Rs. 50 *per mensem* in addition to pay?

(b) Is it also a fact that the post was held by Rai Sahib N. L. Chatterjee until recently and that by orders of Mr. Kaul immediately on taking charge of the office of the Secretary he has been relieved of the post and a girl clerk appointed in his place?

(c) If the reply to part (b) be in the affirmative, will Government be pleased to state the reasons for this change?

(d) What is the length of service of Rai Sahib Chatterjee and of the girl clerk concerned? How long did the Rai Sahib enjoy this allowance?

Mr. A. A. L. Parsons: (a) Yes.

(b), (c) and (d). Rai Sahib N. L. Chatterjee held the post until recently when he was placed on deputation and a girl clerk was appointed in his place. These changes took place before Mr. Kaul was appointed to officiate as Secretary. Rai Sahib N. L. Chatterjee has 22 years' service and has been stenographer to the Secretary for 3 years; the girl clerk who is carrying on the duties of stenographer to the Secretary has two years' service.

EXERCISE BY THE DIRECTOR OF FINANCE, RAILWAY BOARD, OF THE FUNCTIONS OF THE FINANCE DEPARTMENT OF THE GOVERNMENT OF INDIA IN RESPECT OF ESTABLISHMENTS.

478. **Kumar Ganganand Sinha:** (a) Is it a fact that since the separation of railway finance from general finances, the Director of Finance in the Railway Board exercised the functions of the Finance Department of the Government of India in respect of establishments of the Railway Board until recently when the Audit Officer brought the irregularity to the notice of the Finance Department?

(b) If so, will Government be pleased to state (i) how long did the practice continue, (ii) how many such cases were sanctioned by him, and (iii) the total expenditure involved in such sanctions?

(c) What steps has the Finance Department taken (i) against the officer concerned, and (ii) to prevent any recurrence of similar irregularities?

Mr. A. A. L. Parsons: (a) No.

(b) and (c). Do not arise.

TRANSFER OF THE ADMINISTRATIVE CONTROL OF THE CLERICAL STAFF OF ARMY HEADQUARTERS TO THE SECRETARY, ARMY DEPARTMENT:

479. Kumar Ganganand Sinha: (a) With reference to the reply to clause (f) of starred question No. 1340 on 22nd March, 1926, will Government be pleased to state the reasons for the issue of the Army Department letter No. 511, dated 1st April, 1921, transferring the administrative control of the clerical staff of the Branches of Army Headquarters to the Secretary, Army Department?

(b) Were the Heads of Branches unsuccessful in controlling the clerical establishment of their respective offices?

(c) How has the revised system worked in comparison with what was in vogue previous to the issue of the letter referred to above?

(d) Is it a fact that one of the reasons for such transfer was to give effect to the scheme to civilianise the clerical staff of Army Headquarters recommended by the Army in India Committee and to amalgamate the different staffs into one combined roll?

(e) If so, why has no effect been given to this scheme?

(f) Is it a fact that the Establishment Officer or the Army Secretary has no first hand knowledge of the working of the individual clerks of the Army Headquarters and only depends upon the reports of the Branches concerned in making appointments and promotions, etc.?

Mr. G. M. Young: (a) In anticipation of the changes recommended by the Army in India Committee.

(b) No, but there are greater advantages in centralized control.

(c) With advantage.

(d) Yes.

(e) To a large extent effect has been given to the scheme inasmuch as the permanent clerical establishments are now almost entirely civilianised. Amalgamation on one combined roll was found administratively unworkable.

(f) Yes.

EMPLOYMENT OF 25 PER CENT OF SOLDIER CLERKS IN ARMY HEADQUARTERS

480. Kumar Ganganand Sinha: (a) With reference to the reply given in this House on 22nd March, 1927, to starred question No. 1111, relative to the employment of 25 per cent. of soldier clerks in the Branches of Army Headquarters, will Government be pleased to state how this 25 per cent. is apportioned in the 1st, 2nd, and routine divisions?

(b) Is it a fact that there is no bar to the recruitment of all the 25 per cent. of soldier clerks straight to the first division?

(c) If the total of an establishment of a Branch consists of 25 1st division and 75 2nd division clerks, can all the 25 posts of 1st division clerks be filled by soldier clerks?

Mr. G. M. Young: (a) There is no fixed proportion of soldier clerks as between the first and second grades. Soldier clerks are not recruited into the routine grade.

(b) Yes; soldier clerks are intended for the first grade posts. Owing to the paucity of vacancies some of them are placed in the 2nd division until opportunity for promotion arises.

(c) This would be possible.

RECRUITMENT OF TWO SOLDIER CLERKS TO THE OFFICE OF THE MASTER GENERAL OF SUPPLY.

481. **Kumar Ganganand Sinha:** (a) Is it a fact that in contravention of the principle enunciated in reply to clause (j) of starred question No. 1173 on 20th September, 1927, two soldier clerks have been recruited to the Master General of Supply Branch over the heads of several officiating first division assistants?

(b) Is it also a fact that though several of the officiating first division assistants referred to above earned more than one increment in the officiating chain for their approved service, the soldier clerks referred to in (a) above have been earmarked for confirmation in the first division in preference to the already officiating men?

(c) Is it a fact that one of the appointments against which a soldier clerk has been entertained was specifically sanctioned for the entertainment of a civilian clerk on the transfer of inspection work from the Quartermaster General's Branch? If so, why?

Mr. G. M. Young: (a) and (b). There has been no contravention of the principle referred to. Two soldier clerks have been recruited and by virtue of greater merit and suitability have been selected for confirmation over the heads of other clerks.

(c) No, Sir, the appointment carries civilian rates of pay, but is tenable by a soldier clerk.

INCREASE OF SELECTION GRADE APPOINTMENTS IN THE DELHI POST OFFICE.

482. **Mr. B. Das:** Is it a fact that the status of the Delhi Post Office was raised equal to that of Lahore from 1st November 1927? If so, will the Government please state what steps have so far been taken to increase selection grade appointments in that office in branches such as correspondence, money order paid, delivery, accounts, etc., where five or more than five clerks are working?

Mr. H. A. Sams: The answer to the first part of the question is in the affirmative.

No steps have been taken to increase the number of selection grade posts in the office. Such increases are regulated solely with reference to the actual requirements of each office and are not based on any fixed standard as suggested by the Honourable Member.

EXEMPTION OF OFFICIALS WHO HAVE PASSED THE EXAMINATION FOR INSPECTORS OF POST OFFICES FROM THE NEW SELECTION GRADE EXAMINATION.

483. **Mr. B. Das:** (a) Has the attention of the Government been drawn to paragraph 7 of Director General, Posts and Telegraphs, G. O. No. 5, dated the 19th July, 1927? If so, will the Government please state the circumstances under which differential treatment is based between Accountants and Inspectors in respect of the exemption of the latter from the examination?

(b) Are Government aware that Accountants' papers were set and examined by Audit Officers of different Audit Offices throughout India under the Finance Department, while the Inspectors' papers are set and examined by their own Circle officers, who are their executive superiors?

(c) Are Government aware that as the result of the Accountants' examination held in April 1925, only 88 out of 411; in 1926, 94 out of 851; in 1927, 66 out of 311 were passed throughout India, i.e., an average of about 15 per cent?

(d) Do Government propose to exempt also the Accountants, who have already passed their examination from further examination?

The Honourable Sir Bhupendra Nath Mitra: (a) Yes. Officials who have passed the examination for Inspectors of Post Offices were exempted from the new selection grade examination because the subjects for this examination are practically the same as those for the examination for Inspectors of Post Offices. Officials who have passed the Accountants' examination have not been exempted because the subjects for their examination included only a few of the subjects now prescribed for the selection grade examination.

(b) Yes. But I may add for the information of the Honourable Member that the papers for the Inspectors' examination were set by or under the direction of the Head of the Circle and not by Superintendents of Post Offices who were the immediate executive superiors of the candidates.

(c) Yes.

(d) No.

PAY OF CLERKS OF THE DIFFERENT STATE RAILWAY AUDIT OFFICES TRANSFERRED TO THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

484. **Mr. Amar Nath Dutt:** Was any increase of pay given to the clerks of the different State Railway Audit Offices, transferred to the Railway Clearing Accounts Office, Delhi? If so, what is the percentage of increment and have the clerks of the East Indian Railway proper been given the percentage of increase? If not, why not?

Mr. A. A. L. Parsons: Personal allowances have been granted ranging from 5 per cent. to 20 per cent. The clerks of the East Indian Railway have been granted an increase in the same way as others.

RESIDENTIAL ACCOMMODATION OF CLERKS TRANSFERRED TO THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

485. **Mr. Amar Nath Dutt:** Has any arrangement been made to provide the clerks transferred to the Railway Clearing Accounts Office with Government quarters? If not, what steps have been taken by Government to accommodate them?

Mr. A. A. L. Parsons: No.

The Government are not satisfied that there is any necessity yet for them to take steps to supplement private enterprise in the matter.

GRANT OF TIME SCALE OF PAY TO THE STAFF OF THE TRAFFIC ACCOUNTS
OFFICES OF THE EAST INDIAN RAILWAY.

486. **Mr. Amar Nath Dutt:** Is it a fact that the benefit of time scale of pay enjoyed by the staff of Traffic Audit offices of the Eastern Bengal, North Western and the old Oudh and Rohilkhund Railways has not been given to the staff of the Traffic Accounts Office of the East Indian Railway? If not, why not?

Mr. A. A. L. Parsons: The scales of pay on the East Indian Railway are time-scales.

LONG HOURS OF DUTY OF THE SUBORDINATE STAFF OF THE RAILWAY
CLEARING ACCOUNTS OFFICE, DELHI.

487. **Mr. Amar Nath Dutt:** Is it a fact that the subordinate staff of the Railway Clearing Accounts Office have to work usually from 10 A.M. to 8 P.M. every day even on Sundays and gazetted holidays? If so, why?

Mr. A. A. L. Parsons: No.

GRIEVANCES OF THE PIECE-WORKERS OF THE GOVERNMENT OF INDIA PRESS,
DELHI.

488. **Mr. Amar Nath Dutt:** (1) Is it a fact that the piece-workers of the Delhi Government Press have received no increment whatever during the course of the last 5 years? Are they supposed to get increments yearly? Do salaried hands of the said Press get increments annually? Is it so in the case of the piece-workers? If not, why not?

(2) Is it a fact that the earnings of the piece-workers depend upon their labour? Is it a fact that when their earnings increase above a certain amount, the excess is deducted? If so, why? Is it a fact that Lino and Mono Operators are given a bonus for excess work? If so, why is it not so in the case of piece-workers?

(3) Is it a fact that there is an order to the effect that old and senior employees of the Press should get comparatively lighter work than the junior employees? If so, are they given such work? If not, why not? Are they required to labour equally with the juniors?

(4) Is it a fact that the piece-workers and the industrial salaried hands of the Government of India Press, Delhi, are not made permanent for 15 or 20 years and they have to remain in the temporary cadre? If so, why?

(5) Is it a fact that the employees of the warehouse in the Government Press were made salaried hands last year? Is it a fact that there is no grade among them? If so, why?

(6) Is it a fact that the piece-workers do not get any leave concession except casual leave, and that when they fall sick they have to go on leave without pay? Do the Government contemplate to allow them privilege leave, medical leave etc., as is done in the case of salaried hands? If not, why not?

PAY OF LINO OPERATORS IN THE GOVERNMENT OF INDIA PRESS, DELHI.

489. **Mr. Amar Nath Dutt:** (1) Will the Government be pleased to state whether the Lino Operators of the Delhi Press are salaried hands? If so, why do they get no annual increments as other branches of the same Press?

(2) Is it a fact that the Lino Operators are paid according to output of their work? If so, are they treated as piece-workers? If so, why is there a difference between the Delhi and Calcutta Presses where the Lino Operators are paid according to graded pay?

COPYHOLDERS IN THE GOVERNMENT OF INDIA PRESS, DELHI, ETC.

490. **Mr. Amar Nath Dutt:** (1) Is it a fact that the Copyholders of the Delhi Government Press have to work for a Reviser or a Reader every now and then without any additional remuneration for it? Is it a fact that vacancies in the cadre of a Reader or Reviser are generally filled up by outsiders without considering the prior claim of the men in the Branch? Is it a fact that if the Copyholders apply for the Reader's or Reviser's post they are subjected to such an examination as is far beyond their capacity to answer? If the answer is in the affirmative, will the Government kindly let the House know the reason?

(2) Is it a fact that in reply to a question put to Sir Alexander Muddiman in the Simla Session last year he said that such Government of India subordinate offices as are permanently located in Delhi will enjoy local holidays sanctioned by the Chief Commissioner, Delhi, for his office when the Headquarters of the Government of India is not in Delhi? Is it a fact that the Government of India Press, Delhi, is not acting upon this statement of the then Honourable Member? If so, why so?

(3) Is it a fact that the Government of India have recently given a sum of Rs. 300 for doing good work and printing the Budget, etc., most promptly? Is it a fact that the sum of Rs. 300 was awarded to one individual and not to the employees who actually worked?

The Honourable Sir Bhupendra Nath Mitra: I propose to answer questions Nos. 488 to 490 together. The information is being obtained and will be supplied to the Honourable Member in due course.

FENCING OF THE LINES ON THE KATA-KHAL, LALABAZAR AND KULaura-SYLHET RAILWAYS.

491. **Mr. Srish Chandra Dutta:** Will the Government be pleased to state the grounds which prevent them from taking any steps in regard to the fencing of the Kata-Khal Lalabazar and Kulaura-Sylhet Railways in spite of a considerable number of run-over cases on those Railways during the years 1926 and 1927 as stated in their reply to my starred question No. 1037 in the Legislative Assembly on the 14th September, 1927?

Mr. A. A. L. Parsons: Unfortunately fencing does not deter men from trespassing on to the railway, and if the grazing is good they break down the fencing to bring their cattle in. Our statistics show that the number of accidents to cattle is greater on fenced than on unfenced lines.

GRANT OF LOANS BY THE IMPERIAL BANK OF INDIA TO EUROPEAN AND INDIAN FIRMS OR COMPANIES.

492. **Mr. Srish Chandra Dutta:** Will the Government be pleased to state separately the number of European and Indian firms or companies in British India who have been granted loans or advances up till now by

the Imperial Bank of India? What are the rules and conditions for granting such loans or advances?

The Honourable Sir Basil Blackett: The Government have no information on the subject.

EMPLOYMENT OF PEONS IN POST OFFICES IN THE DISTRICTS OF SYLHET AND CACHAR.

493. **Mr. Srish Chandra Dutta:** With reference to my starred question No. 1039 in the Legislative Assembly on the 14th September 1927, will Government be pleased to state the number of post offices in the districts of Sylhet and Cachar, in which peons have been sanctioned since then?

Mr. H. A. Sams: The information has been called for and will be furnished to the Honourable Member in due course.

NUMBER OF POLITICAL PRISONERS IN ASSAM.

494. **Mr. Srish Chandra Dutta:** Will the Government be pleased to state if there are any political prisoners in the province of Assam? If so, what is their number and under what Regulations are they confined?

Sir Denys Bray: There is only one political prisoner, a Manipuri, in the Province of Assam. He is detained under Regulation III of 1818 for complicity in the Kuki rebellion.

ELECTION OF THE PUBLIC ACCOUNTS COMMITTEE.

Mr. President: I have to inform the Assembly that the following Members have been elected to serve on the Committee on Public Accounts:

Mr. T. A. K. Shervani,

Mr. B. Das,

Haji Chaudhury Muhammad Ismail Khan, and

Rao Bahadur M. C. Rajah.

ELECTION OF THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

Mr. President: The Assembly will now proceed to elect eleven Members to the Standing Finance Committee for Railways. There are 23 candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

I understand that Maulvi Muhammad Yakub and Mr. M. A. Aziz have since withdrawn their candidature.

(The ballot was then taken.)

ELECTION OF THE PANEL FOR THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

Mr. President: The Assembly has also to elect a panel of 8 Members from which six members of the Central Advisory Council for Railways will be nominated. There are 11 candidates whose names are printed on the ballot paper. Out of these, the following three Members have withdrawn their candidature, namely:

Sardar Gulab Singh.

Mr. S. C. Mitra, and

Lala Lajpat Rai.

I, therefore declare the remaining eight Members to be duly elected. Their names are:

Sir Purshotamdas Thakurdas,

Sir Hari Singh Gour,

Mr. Muhammad Yamin Khan,

Khan Bahadur Nawabzada Syed Ashrafuddin Ahmad,

Sir Walter Willson,

Lieutenant-Colonel H. A. J. Gidney,

Rai Bahadur Tarit Bhushan Roy, and

Mr. N. C. Kelkar.

THE CHITTAGONG PORT (AMENDMENT) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I rise to move that the Bill further to amend the Chittagong Port Act, 1914, for certain purposes, as passed by the Council of State, be taken into consideration. This Bill, Sir, proposes to do two things. In the first place, it transfers to the Governor General in Council the powers vested in the Local Government by the Chittagong Port Act; and, in the second place, it reconstitutes the Port Trust. It will only be necessary to indicate very briefly the course of events which have led up to the introduction of this Bill. The Port of Chittagong occupies a somewhat unusual position inasmuch as it is situated in the province of Bengal, while its importance lies in the fact that it is the port for the import and export traffic of Assam. Now, if it is to serve its purpose to the fullest extent, a good deal of money will have to be spent on its development, and there was an obvious difficulty about this so long as the port remained under the jurisdiction of the Government of Bengal, because that Government felt that they might have to incur large financial liabilities in connection with the development of the port, while the benefit probably would not accrue mainly to the province of Bengal. There was a good deal of discussion on the subject, but the final conclusion reached was this. The Government of Bengal agreed to take a loan of Rs. 50 lakhs from the Government of India for the development of the port, and, on the other hand, the Government of India agreed that if for three successive years the traffic of the port exceeded in value Rs. 15 crores they would be prepared to declare it a major port and take over all liabilities in connection with the loan. The latter condition has now been fulfilled. For two years in succession the

[Sir George Rainy.]

traffic of the port was just about Rs. 15 crores, and in the current year it is expected that it may amount to Rs. 17 crores. I may say that as long ago as 1925 this arrangement was approved in a Resolution passed in the Legislative Council of Bengal by 43 votes to 11. The Resolution was:

"This Council recommends to Government that a loan of Rs. 50 lakhs be granted to the Port Trust of Chittagong for the development of the port of Chittagong."

And the Finance Member of the Bengal Government at that time speaking on the Resolution said:

"When the trade of the port has reached an average of Rs. 15 crores per annum for a period of three years, the port will become a major port, whereupon the payments of the Government of Bengal to the Government of India will cease and the principal, together with the interest, will be returned to the Bengal Government and the management of the port thereafter will be in the hands of the Government of India. The Government of Bengal consider these terms fair and just and recommend them for the acceptance of the Council."

In the face of that statement, the Bengal Council by 43 votes to 11 approved of the Resolution, and therefore I think it is clear that the arrangement which this Bill embodies has the approval not only of the Local Government but also of the Local Legislature. It is not necessary, I think, to say anything about the detailed provisions of the Bill. As regards the transfer of powers from the Government of Bengal to the Government of India, all these are matters of detail, mainly matters of drafting, and they have been carefully examined. The only point on which, so far as one can judge, there has been any difference of opinion is as regards the constitution of the Port Trust. All I should like to say about that now is that the constitution proposed in the Bill is the result of joint agreement arrived at locally when the Secretary in the Commerce Department visited Chittagong last autumn; he consulted all the persons interested there, and the solution proposed in the Bill is what all parties actually at Chittagong agreed to.

Sir, I move.

Mr. President: The question is:

"That the Bill further to amend the Chittagong Port Act, 1914, for certain purposes, as passed by the Council of State, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. President: The question is:

"That clause 4 do stand part of the Bill."

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural):
Sir, I beg to move the amendment which stands in my name and which runs as follows:

"That for clause 4 of the Bill the following be substituted:

'4. For section 7 of the said Act the following section shall be substituted, namely:

'7. There shall be fifteen Commissioners as follows:

(a) the Chairman,

(b) the Collector of the Chittagong District, *ex-officio*,

(c) the Customs Collector of the Port, *ex-officio*,

(d) two Members of the Indian Legislative Assembly representing the Chittagong Division, *ex-officio*,

- (e) one Commissioner appointed by the administration of the Assam-Bengal Railway,
- (f) two Commissioners elected by the Chamber of Commerce at Chittagong,
- (g) two Commissioners elected by the Chittagong Indian Merchants' Association,
- (h) two Commissioners elected by the Trades Association of Chittagong,
- (i) two Commissioners elected by the municipal commissioners of Chittagong, and
- (j) one Commissioner elected by the District Board of Chittagong."

The amendment which I propose gives a substantial majority to Indians in the Port Trust. The Bill provides for 12 Commissioners only and of them not less than 8 are members upon whom we cannot rely for doing the right thing, at least from the Indian point of view. You have your majority everywhere. In fact I do not know of any other country in the world save and except my unfortunate country where the government of the country has a hand in at least getting a major portion of their people nominated in order to support their case. Even in small bodies like municipalities and district boards they have powers of nomination. Seemingly it is a minority, but if you closely analyse it, you will find that the minority is really a majority, because out of the elected members it is not difficult to get two or three toadies elected in order to swell their number and thereby become masters of the situation everywhere and say "You have got your own elected men there." I would not cite the instance of the Legislative Assembly or the Council of State. But, Sir, I beg to submit that the Government should at least for decency's sake allow us in these matters some latitude, so that we can work in the best interests of our country. Now, Sir, in the amendment which I propose I only add three members. They want only 12 Commissioners, while I want 15. Of these Commissioners, they want the Chairman to be nominated; I have kept it. The Collector of the Chittagong District, the *huzur* and the *ma bap* of the district, will be there; so your man is there. The Customs-Collector of the Port is also there, who is also your own man. Then there is one Commissioner appointed by the Governor General in Council; he is also your own child. Then you have one Commissioner appointed by the administration of the Assam-Bengal Railway. We know who he will be and you cannot disclaim him also to be a child of yours. Then, there are three Commissioners elected by the Chamber of Commerce at Chittagong. You have not announced their names, but who does not know the ways of our rulers here in India? It may at the first blush seem that this provision is very fair but those who are acquainted with the inner working of the Indian administration know what is meant by the Chamber of Commerce, which is nothing short of a Chamber for the Exploitation of India. So, these three Commissioners will also be your own kith and kin. Thus, you get a majority of 8 in a Board consisting of 12 members only. Therefore, my humble submission to you, Sir, and through you to the Government Benches, who are so deaf at times, is that they should try to make this body somewhat at least of a representative nature. My proposal contemplates the removal of one member from the Chamber of Commerce and from the Indian Merchants' Association. The last-named Commissioners are provided by clause (g) which says:

"three Commissioners elected by the Chittagong Indian Merchants' Association or by such body or bodies or firms as the Governor General in Council may, from time to time, select as best representing the interests of the Indian mercantile community at Chittagong."

[Mr. Amar Nath Dutt.]

Now, it is quite clear that they will get their own men out of half-a-dozen as alleged representatives of Trades Associations. Sir, these mushroom associations are springing up according to the needs of the Government and also according to the exigencies of the case. I see, Sir, that I was wrong when I said that the Government would have 8 Commissioners out of 12; they would really have 11. Sir, we know very well the sort of game which the Government plays and we also fully understand the meaning of "the Governor General may from time to time according to the exigencies of the case". The net result therefore is that the whole body of Port Commissioners is reduced to an official body save and except that there will be one Commissioner elected by the Municipality. I submit, Sir, that this is a minor port; it is not like the one at Bombay or Karachi.

Mr. B. Dās (Orissa Division: Non-Muhammadan): It will be a major port in the Government of Bengal.

Mr. Amar Nath Dutt: I do not think it will be so big as Bombay and Karachi at least during the next 50 years. Of course, if Swaraj comes early, it will develop soon.

I beg to submit, Sir, that the Government should realise that by giving way to my amendment they will not lose much, and if they do so, they will at least be able to keep up their appearance before the civilised world and will be in a position to say that at times they do concede the demands made by such unreasonable men as the members of the Congress Party are in the Assembly. I would therefore request through you, Sir, and ask them to consider whether or not my amendment is so outrageous as not to command their sympathy.

Then, we want to have two Commissioners elected by the Municipal Commissioners of Chittagong and one Commissioner elected by the District Board of Chittagong. I am sure no one will question the representative character of these Commissioners who will be elected by the District Board and the Municipality. In fact, Government need not entertain much fear from these quarters also, knowing as I do these so-called self-governing bodies in Bengal, which are in the hands of the Ministers, who use them as their tools and whose very lives depend upon your vote. I also know that these Ministers have the power of nomination and they nominate only such people who will support them and who invariably try to get elected through various means two or three other Government men to swell the number in order that they may be sure of their majority. So, from this quarter you need not apprehend much trouble. I would request you, therefore, that this is a very harmless amendment which you should accept. If you do so, you will be able to face the world with some show of decency and say that you always concede to the Congress Party when they are reasonable. Therefore, I do not think, Sir, I need be long in my speech for the acceptance of my amendment by this House. I have given all my reasons and I ask for an elected majority in the body. I have asked for the increase of three members only, and have, of course, reduced the constituency of my friends like Sir Walter Willson and others. I do not think they will grudge it. It may be said that the amendment is somewhat selfish as it seeks for the election of two Members of the Legislative Assembly from the Chittagong Division. I may at once point out Sir, that I do not come from the Chittagong Division nor do I contemplate

doing so. I am quite content with my own constituency of Burdwan and so long as they have faith in me I shall continue to come from the Burdwan Division. So, it is not in my interests that I am contemplating this change. I am really pleading in the interests of my friends over there, Mr. Anwar-ul-Azim and Mr. S. C. Mitra. I think that at least one of them is a safe man and will not do you much harm if you think that the other man might prove dangerous. With these words, I beg to move the amendment standing in my name which I have already read out to the House.

The Honourable Sir George Rainy: Sir, I shall try to imitate the spirit of sweet reasonableness that animated my Honourable friend opposite, but I shall ask the House to recognise that it is the proposal in the Bill which is moderate and reasonable and should receive their support and not the amendment moved by my Honourable friend. My Honourable friend made his reasons quite plain for moving the amendment, namely, that he wanted an Indian majority on the Trust. He did not seem to mind particularly how he got his Indian majority as long as he got it by some means, whether these were suitable for the election of such a body as a Port Trust or not. What he has done is that out of the constitution as proposed in the Bill he removes the nominee of the Governor General in Council, he cuts out one of the members to represent the Chittagong Chamber of Commerce and he also cuts out one of the members for the Chittagong Indian Merchants' Association; that gives him three seats. He then adds three seats to the body and thus gets 6 seats to fill up, which he does as follows: the 2 Members of the Indian Legislative Assembly representing the Chittagong Division, 2 members elected by the Trades Association of Chittagong, 1 from the District Board and 1 from the Municipality.

I should like to explain that the power of nomination reserved to the Governor General in Council will ordinarily be exercised by the appointment of the Port Officer. It is desirable that he should be a member of the Port Trust and I think it would be a great pity if the power of nominating the Commissioner were cut out of the Bill. That is my first objection.

In the second place, I am afraid Government cannot agree to the proposal that the two Members of the Legislative Assembly from the Chittagong Division should automatically become members of the Port Trust. I am not going to argue it on high constitutional grounds, but I am going to put the position plainly to the House. The Members for the Chittagong Division are elected, quite rightly, for their political opinions. But it would be wholly inappropriate to select two of the members of the Chittagong Port Trust on the ground that their political opinions were acceptable to the electors of the Chittagong Division. That would be a wrong criterion. The Port Trust is not a kind of embryo Parliament; it is a business body which has got to do a lot of hard work throughout the year in order to carry on the business of the port. It would be most inadvisable to constitute its membership on political lines. As regards the two members proposed to be elected by the Trades Association, Chittagong, that seems to me a surprising proposal. If there is any local support for that proposal, why was it not brought to the notice of Sir Geoffrey Corbett when he visited Chittagong last autumn? It was never even brought to his notice there that there was a Trade Association in Chittagong. I feel strongly that if representation is to be given to a body of that kind, it ought to be done on the representation of the local people, and not merely as an expedient conceived in the Legislative Assembly at Delhi.

[Sir George Rainy.]

Finally, as regards the representation proposed for the District Board, there is really no more reason for giving the District Board of Chittagong a representative on the Chittagong Port Trust than there is for giving a representative to any of the District Boards in Assam. Probably some of the districts of Assam are much more interested in the development of the Chittagong port than the Chittagong district itself.

For all these reasons it seems to me the proposal of the Honourable Member is not acceptable and ought not to be approved by this House.

I should like again to remind the House that the constitution proposed in the Bill was unanimously accepted at a meeting which Sir Geoffrey Corbett had with the local representatives of all the interests concerned when he visited the port in October, and I think the Assembly should be very slow to disturb a settlement arrived at in that way.

Mr. President: The question is:

“That for clause 4 of the Bill the following be substituted:

‘4. For section 7 of the said Act the following section shall be substituted, namely:

‘7. There shall be fifteen Commissioners as follows:

- (a) the Chairman,
- (b) the Collector of the Chittagong District, *ex-officio*,
- (c) the Customs Collector of the Port, *ex-officio*,
- (d) two Members of the Indian Legislative Assembly representing the Chittagong Division, *ex-officio*,
- (e) one Commissioner appointed by the administration of the Assam-Bengal Railway,
- (f) two Commissioners elected by the Chamber of Commerce at Chittagong,
- (g) two Commissioners elected by the Chittagong Indian Merchants’ Association,
- (h) two Commissioners elected by the Trades Association of Chittagong,
- (i) two Commissioners elected by the municipal commissioners of Chittagong, and
- (j) one Commissioner elected by the District Board of Chittagong.”

The motion was negatived.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

Clause 6 was added to the Bill.

Clauses 7 to 23 were added to the Bill.

Clause 24 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir George Rainy: Sir, I move that the Bill, as passed by the Council of State, be passed.

Mr. B. Das: Sir, I wish to oppose this Bill. I will give my reasons. The former Member of Commerce, the Honourable Sir Charles Innes, out of his first love to the province of Madras, created two major ports, *viz.*, Vizagapatam and Cochin, in that Province during his term of office. I, who come from Orissa, wanted that a major port be given to Orissa, and

the Honourable Sir George Rainy, who was formerly a member of the Government of Bihar and Orissa, must have read what Lord Hardinge in his famous despatch in 1911 said that Orissa was added to Bihar to provide a sea-board for the Province of Bihar and Orissa and that Orissa was entitled to have a major port created for it. I and my friends of Orissa have protested in this House that the Government of India have given no support to the creation of a port for Orissa, and the Honourable Sir Charles Innes, out of his old love for Madras, gave Madras two excellent major ports, and I should have thought that the Honourable Sir George Rainy, before he took up the development of any port, would have given his first love to the province of Bihar and Orissa where he served in so high a position and where he did such splendid work. Instead of that, this Chittagong port is brought before us to be created as a major port. The subject is never discussed in this House, and whenever a controversial matter is to be discussed it goes to the Council of State and comes here as passed, and we are not allowed to discuss the subject fully.

I would ask the Honourable Sir George Rainy what he thinks of that famous despatch which Lord Hardinge wrote to the Secretary of State, where the Government of India gave their definite promise that a port should be created in Orissa. I asked various questions of my Honourable friend, Sir Charles Innes, when he was here, and he said that the Government of India cannot spend any money to have a small port created, and if it is to be developed let it be developed by the Provincial Government. Then why is all this money being spent for Chittagong? Bengal grew prosperous in the old days at the cost of Bihar and Orissa. Now Bengal is to have another major port, and Orissa is to have none. This is a violation of a sacred promise of the Government of India. It may not be the Government of India to which the Honourable Sir George Rainy belonged but a preceding Government, but Sir George Rainy himself has eaten the salt of Bihar and Orissa and he ought to show a certain amount of love for his own province and fulfil a sacred and old old pledge of the Government of India.

For this reason I oppose this Bill. and I say that no major port should be created in India unless a major port is given to the province of Bihar and Orissa.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhamadan Rural): Sir, I rise to support my friend Mr. Das in his motion that this Bill be not passed.

My reasons for doing so are that I was hoping and have been disappointed in that hope that, when Mr. Amar Nath Dutt moved his motion by which a larger proportion of Indians would have been brought on the Chittagong Port Trust, the Honourable the Commerce Member would have found a *via media* by which this eleventh hour but essential change could be introduced, because now that the subject of the Chittagong Port Trust is on the anvil, Indian interests should be safeguarded from the very beginning. Analysing the motion of my friend Mr. Amar Nath Dutt, the Honourable the Commerce Member went into the details of the various sections of that clause as proposed by Mr. Dutt, and he said that the two Members of the Indian Legislative Assembly, as proposed by Mr. Dutt, should not be accepted, because the Members of the Legislature are appointed on quite a different franchise. There I am disposed to agree with the Honourable the Commerce Member, but what about two

[Mr. Sarabhai Nemchand Haji.]

members to be elected by the Municipal Commissioners of Chittagong? No reply was given. We know that in Bombay and in Calcutta, and I believe in Karachi as well, the local municipal bodies

Mr. President: Where was the Honourable Member when the amendment was moved?

Mr. Sarabhai Nemchand Haji: I am giving my grounds for opposing this Bill

Mr. President: The Honourable Member should have advanced these arguments when the amendment was under discussion.

Mr. Sarabhai Nemchand Haji: I was hoping that the Honourable the Commerce Member would yield to the pressure exercised by Mr. Dutt.

Mr. President: Is the Honourable Member serious?

Mr. Sarabhai Nemchand Haji: Sir, I will show that when it comes to a division. So, Sir, at least the suggestion of the Honourable
12 NOON. Member from Burdwan should have been accepted as regards the two Commissioners to be elected by the Municipal Commissioners and one to be elected by the District Board. With these two modifications, even if the Commerce Member did not take into consideration the suggestion of having Members of the Indian Legislature on the Board, we would have got a working Indian majority. The reason for a working Indian majority is this, that we have found from our experience of Port Trust administration in all the ports of India that, wherever there is a non-Indian majority, the interests of India, the interests of Indian shippers, the interests of Indian ship-owners, the interests of Indian employees of the Port Trusts,—all Indian interests, in fact, are never properly looked after.

Sir Walter Willson: Oh, no!

Mr. Sarabhai Nemchand Haji: I will presently come to a point where my Honourable friend Sir Walter Willson will not be able to say "Oh, no!"; and that is the case of Calcutta. Recently in that Port Trust it was intended that an Indian should be appointed to the post of an Assistant

Lieut.-Col. H. A. J. Gidney (Nominated: Anglo-Indian): Why only an Indian?

Mr. Sarabhai Nemchand Haji: Because he was the best qualified man.

Sir Walter Willson: On a point of order, Sir. Has this anything to do with the Chittagong Port Act—what has happened in the Calcutta Port Trust?

Mr. President: I don't suppose the Honourable Member is going to be long.

Mr. Sarabhai Nemchand Haji: No, Sir. I was just going to say, Sir, that if we have not got an Indian majority in the Chittagong Port Trust

the very same sad state of affairs as obtains in Calcutta will be repeated at Chittagong. All that has happened in Calcutta with regard to the overlooking of Indian interests in spite of all the Indian members of that Port Trust insisting on Indianization of a particular post, in spite of the fact that a decent Indian was available, the Europeans on that Port Trust taking advantage of their majority have combined together to keep a competent Indian out. That is why I want a majority of Indians properly elected on this Chittagong Port Trust, and if we cannot have a new Port Trust under conditions we approve of, it would be as well not to have any changes at all but to carry on in the same old way.

Mr. President: The question is:

"That the Bill further to amend the Chittagong Port Act, 1914, for certain purposes, as passed by the Council of State, be passed."

The motion was adopted.

THE INDIAN MINES (AMENDMENT) BILL.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I rise to move that the Bill further to amend the Indian Mines Act, 1923, for certain purposes, as reported by the Select Committee, be taken into consideration.

Sir, it is not necessary for me to make a long speech on this occasion: As I said on a previous occasion, the most important provision of the Bill is that which imposes a maximum limit on the daily hours of work of individuals employed in a mine, with the object of regulating the daily hours of work. In the Bill which went before the Select Committee this maximum limit was put down at twelve hours. Before the Select Committee various proposals were made to reduce this figure to 8, 9, 10, or 11. It will be seen from the Select Committee's Report that the matter was considered by them very carefully and that by a large majority they decided to retain the figure of twelve, though they have recommended that the matter should be reconsidered in 1933. The Bill as it went before the Select Committee also included a special provision for change of shifts. On the information before them the Select Committee considered the provision to be unnecessary and they deleted it. Further, the Select Committee made certain minor modifications,—drafting and otherwise.

Sir, I move.

The motion was adopted.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I move:

"That in clause 2 (a) for the word 'twelve' the word 'eight' be substituted."

Sir, when the motion was made that the Bill be sent to a Select Committee I expressed my views about the maximum hours of work to be permitted by this legislation and I stated at that time that the maximum hours per day or a day's work under this legislation should not be more than 8 hours. I also stated my reasons at that time. I am now glad to find, Sir, that the Select Committee has expressed great sympathy with

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the view which I took at that time. This is what the Select Committee states in its Report:

"The proposal to reduce the period to eight hours was strongly urged in the interests of the workmen, for reasons with which we find ourselves in sympathy. There can be no doubt that in a properly equipped and organised mine the eight hours' shift is the best for all concerned, for reasons which are so well-known that they require no elaborate statement by us. The advantages of the eight hours' shift are so clear that, we understand, many well equipped mines in India do now actually work on an eight hours' shift."

After having stated their sympathy with the proposal that the maximum hours should be kept at 8, I am somewhat surprised that the Select Committee should have allowed the proposals of the Government of India to be retained unamended in this Bill. The Select Committee express sympathy with my view. They also say that a properly equipped mine can work with advantage to all parties if the maximum hours are kept at eight. So it is quite clear that the Government of India's Bill, as approved by the Select Committee, is not really in the interests of well equipped mines, but it is in the interests of badly equipped mines. What really the Government wants to do is not to encourage proper equipment of mines but to encourage bad equipment of mines. Sir, the Select Committee, I am quite sure, has not done any good to the mining industry in this country because they are putting a premium on bad management and bad equipment of the mines.

The Select Committee has given one or two reasons for the course which they have adopted. The first reason given by them is that it is in the interests of the miners themselves that they should keep the maximum hours at twelve, because they state that it is quite possible that the total output of a miner may go down if the hours are kept at eight, and therefore they say that it is in the interests of the miner that his output should not go down and his wages also along with the output. Now, Sir, the Select Committee has not given any figures to show that the output of the miner will go down if the hours are kept at eight. I have made it quite clear that a large number of well managed mines at present are working on 8 hour shifts; and during those 8 hours the miners in India produce between three and four tubs of coal. Nobody here states that in those mines which work for 12 hours the miners produce more than three or four tubs at the most; and if in the mines which work 12 hours the miners do not produce more than three or four tubs a day, and if in good mines the miners also produce per day three or four tubs, it is quite clear that the miners are not likely to lose even if the hours are reduced to eight. The Select Committee should certainly have produced figures to show that in those mines where the miners work for 12 hours the production is larger, and they should have also produced figures to show that in those mines where the miners work only 8 hours the production is less than in the case of mines where the miners work 12 hours. Without giving any figures the Select Committee simply depend upon their impression and, I may say, their prejudice. My own view is that the three tubs which the Indian miner at present produces daily, can be produced by miners if they work even for six hours only. I maintain that three tubs can be produced in 6 hours' time; but I am prepared to keep it at 8 hours in order that the miners should not be speeded up and compelled to work all the 6 hours without much rest. I am therefore willing that the hours should be kept at 8, so that the miners can still

work at ease and produce their three tubs which they at present do. Therefore, there is no danger of the production of the miners going down and the miners suffering any loss in wages. Then the Select Committee says that the miners in India have not yet acquired the habits of punctuality and regularity, and therefore they fear that, if we keep the daily hours at 8, some of the miners who come late will not be able to produce the coal which they are producing to-day in the course of one day. I have stated that the three tubs which the miner in India produces can be produced in 6 hours' time; and therefore if we place the limit at 8, there will still be two hours for the Indian miners to be irregular and unpunctual. They are not likely to suffer any loss. Even if the miners are likely to be unpunctual or irregular, I am quite sure they are not likely to go into the mine so late that they will not get even 6 hours' work out of the 8 hours. I therefore think that there is sufficient margin for the Indian miners to be irregular and unpunctual. In 8 hours' time, even if they work for 6 hours, they will produce three tubs which they are producing now. Moreover, Sir, I would like to ask the Select Committee and the Government of India whether they want to encourage this habit of unpunctuality and irregularity which they allege is found in Indian miners. I do not admit that the Indian miners' habits are either unpunctual or irregular. They are unpunctual and irregular because the mines are kept open for 12 hours in a day and it is not humanly possible for any man to go on working for 12 hours regularly and punctually. It is not possible for any one of us to work 12 hours without any rest, and certainly the miners, if they are asked to work 12 hours, cannot work punctually and regularly as you want them to work. I therefore think that the Select Committee has done a wrong thing, in the first place, in alleging that the Indian miners are not punctual or regular, and throwing that blame upon their habits. It is not their habits which make them unpunctual or irregular; it is the wrong practice of allowing the mine owners to take 12 hours' work from them that makes them unpunctual and irregular. Secondly, the present Bill does a wrong to the Indian miners by encouraging in them the habit of irregularity and unpunctuality. What the Government should have really done is to put a little pressure upon the Indian miners if they find that their habits are unpunctual and irregular in order that they should become more punctual and regular; and, therefore, if you reduce the hours, there will be a pressure upon the miners to be punctual and to be regular. Instead of doing that, the Select Committee and the Government of India allow full scope for the tendency of the miners to be irregular and unpunctual. I therefore think that it is not in the interests of the miners that the hours should be kept at 12.

The second reason given by the Select Committee is that there are some mines which do not possess sufficient number of tubs in order that the miners should be able to produce three tubs in a day. That, Sir, is certainly not the fault of the miners, that the mine owners do not provide a sufficient number of tubs. This really is a proof that it is only badly equipped mines that want longer hours. If some mines do not provide a sufficient number of tubs, it is not the business of Government to encourage them to maintain this insufficiency of tubs and equipment. It is the business of Government to compel them to equip their mines better and to keep a sufficient number of tubs. Why should the poor miners suffer simply because some mine owners will not put sufficient

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capital in their mines and will not have a sufficient number of tubs? I think, Sir, the Government of India is doing a wrong thing in not putting a little pressure upon the mine owners to provide a sufficient number of tubs. Therefore, I think that the arguments used by the Select Committee in favour of keeping the hours at 12 should not weigh with this House, as they in the first place encourage the habit of unpunctuality and irregularity among the miners and in the second place they encourage mine owners to keep their mines badly equipped.

Then, Sir, the Select Committee have given a third reason for the course they have adopted. They say:

"Bearing in mind the important alterations in working conditions which this Bill and other contemplated changes (*viz.*, the gradual stoppage of employment of women underground) will bring about in many mines, we thought it safer not to run the risk of outstripping the capabilities of some of the mines to adjust themselves to these rapidly altering conditions."

The Honourable Sir Bhupendra Nath Mitra: That observation refers to clause 1.

Mr. N. M. Joshi: Yes; it refers to clause 1; but that seems to me one of the reasons which seem to have influenced the Select Committee in approving of the proposals of the Government of India. They think that these changes are coming very rapidly. Nothing of the kind. Both the changes, namely, the prohibition of the employment of women and the introduction of the shift system, have been before the Government of India and the employers now for more than five years. The Government of India issued a circular on the subject in the year 1923, and it is now five years since that circular was issued. The employers in India knew that the changes were going to come. Not only that, but this Bill was introduced in 1927, and since then they had sufficient time to make any adjustments they wanted to make; since then there was sufficient time to enable them to provide more tubs and also to tell their miners that henceforth they must be more punctual and more regular if they were unpunctual and irregular at all. I therefore think, Sir, that the Select Committee has not done a proper thing in approving of the proposals of the Government of India.

Sir, I stated in my previous speech on this subject that there are many people in this country who approve of keeping the hours of work at 8. There are some Chambers of Commerce like the Indian Merchants' Chambers in Karachi who have suggested that the hours should be 8. Then there are also some others like the Manager of the Moppani Colliery, Narsinghpur, who says that:

"a man's efficacy ends after 8 hours hauling coal, and any longer period only encourages sleeping in the mine which in a large number of cases is the direct cause of accidents."

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): What page is that?

Mr. N. M. Joshi: That is on page 8.

Now, Sir, the Chief Inspector of Mines in India has several times complained in his report that the miners sleep in the mines and therefore there are always accidents. Now, what can the miners do? How can they remain without sleep when they have worked for 12 hours in the day?

If they are made to work for 12 hours in a day, I am quite sure the miners will not be human beings if sometimes they do not fall asleep in the mine. Therefore, in the interest of the safety of the life of the miners it is absolutely necessary that the hours of work should be reduced. Then, Sir, there is the Karachi Merchants' Association which makes the same suggestion, that the Mines Act should be so modified as to restrict the work of a miner during a day of 24 hours to a maximum of 8 hours. The Buyers and Shippers' Chamber, Karachi, also suggest that the principle of 9 hours' work during the day and 6 hours' by night should be adopted, and so I am quite sure they will be in favour of keeping an average of 8 hours' work in a day.

Sir, I do not wish to speak at greater length on this subject, but I feel that this is a question really of humanity. Is it right that we should ask any class of human beings to work in a dark mine for more than 8 hours in a day? I feel, Sir, that if Honourable Members will realise what the difficulties and hardships of working in a mine are, they will certainly vote for my amendment, and let them not entertain any fear that the mining industry will suffer if this change is made. In the first place, there will be no loss to the miners, because the miners will produce three tubs of coal in 8 hours' time. Secondly, Sir, nobody has shown that properly equipped mines will suffer any losses. In fact, properly equipped mines are to-day working 8 hour shifts and they are not suffering any losses thereby. Therefore, if 12 hours are to be kept in the interest of bad mine owners, I hope the Government of India and the Assembly will not give their assent to such a proposal which will merely help bad mine owners. I maintain, Sir, that my proposal is in the interest of good employers. Whenever good employers compete with bad employers, they naturally suffer a loss. Therefore, if my proposal is accepted, the good employers will be at a distinct advantage in continuing their progressive spirit in treating their employees fairly and liberally.

I hope, Sir, the House will accept my amendment.

***Diwan Chaman Lall** (West Punjab: Non-Muhammadian): Sir, I should have preferred to have spoken after the Honourable Sir Bhupendra Nath Mitra, but the subject has been before the Government of India and the public for a long time, and although my friend Mr. Joshi said that the matter had been before the public for the last five years, really it has been before the public since 1890. This is a question which affects not only the male workers but it affects also the women workers in the mines. When the Honourable Sir Bhupendra Nath Mitra interrupted my friend Mr. Joshi and referred him to clause 1, I thought he did not probably remember that the question of women workers was also affected by this new amendment that he is now proposing to the Mines Act. Now, Sir

The Honourable Sir Bhupendra Nath Mitra: Will the Honourable Member please speak up? The Honourable Member is going off the rails.

Diwan Chaman Lall: I did not hear the Honourable Member. (*Some Honourable Members:* "Please speak up; we cannot hear you properly"). The amendment he is proposing is this. Under the old Act of 1923 we have the hours of work for the miners laid down. Now the Honourable Member is proposing, no doubt under pressure apparently

*Speech not corrected by the Honourable Member.

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from the mine-owners, that a miner should be enabled to work by Statute for 12 hours a day if necessary, that a shift should be of 12 hours and not less. It is conceivable, Sir, that if we spread out the 54 hours the miner works now, the average comes to 9 hours. But what the Honourable Sir Bhupendra Nath Mitra wants to do is to make the average not 9 hours but 12 hours, and I ask my friend how he can make such a proposal which affects not only the male workers but also the women workers in the mines. I want to ask my Honourable friend how he reconciles the position which he is taking up now with the oft repeated assurances of the Government of India that they want to adhere to international verdicts on similar questions. Let us take the 8 hours day fixed by the Washington Convention. Now, I know perfectly well that India was exempted. Why? Because it was said that industrial conditions in India are different to those that prevail in other countries. Now, I want to ask the Honourable Member in charge if he can tell me in what way the conditions in India are different to those that prevail in other countries or in what particular way is the work or the life of the Indian worker different to the work and life of a European worker? Does he not need the same sort of nourishing food? Does he not need the same amount of sleep and the same amount of relaxation? Does he not need the same sort of amenities of life, social and others, which the workers in the West need? But he is deprived of all these simply because there is unfortunately not a powerful labour movement in this country to fight for him. Do I take it that the Honourable Sir Bhupendra Nath Mitra considers it to be a civilized method in the year 1928 to ask any worker to go underground in a mine and work there for 12 hours a day? Is there any other country in the world where the hours of work have been fixed as high as that?

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Quite right. I agree with you.

Diwan Chaman Lall: I would ask my friend Colonel Gidney to go down a mine and work there for 12 hours without any protest against the proposition of the Honourable Sir Bhupendra Nath Mitra.

Lieut.-Colonel H. A. J. Gidney: I quite agree with you. I do not want to go down a mine and work there for 12 hours at a stretch to agree with you.

Diwan Chaman Lall: I am very glad my friend Colonel Gidney agrees with me.

Sir, the same Select Committee has given certain reasons why the 8 hours or 10 hours day was not accepted by them, and the reasons are very curious. The first reason they give is again in favour of the mine-owners without any regard to the life of the workers. They say there is a lack of tubs and therefore the miner must be forced to work in shifts for 12 hours. Now, the easiest method will be to ask the mine-owners to provide more tubs, and if they fail to do so, it is no reason why an extra pound of flesh should be demanded from the worker. Try and civilise the mine owner and do not try and brutalise the miner.

The second reason advanced is that the wages would probably be lower. Now, Sir, my experience of coal mines is that on an average three tubs are filled by a miner as well as his wife. The wife usually happens to be the carrier. The miner digs the coal and the wife carries it on her head.

in a basket and dumps it down into the tub. Both combined get in the course of a working day something like three tubs and on an average they are paid about 18 annas—at 6 or 7 annas a tub; I think that is about the average they get. I am quite willing to concede that with the methods which prevail now-a-days in the coal mines in India—antediluvian methods, methods which are very old, methods which ought to be improved—it is a very arduous task for the miner as well as his wife to dig three tubs in the specified period, let us say 8 hours; but he does succeed in doing it. No facts and figures have been placed before us, nor before the Select Committee, to show that he cannot and does not succeed in filling his three tubs. If Honourable Members will look at the Report of the Select Committee they will find a clear proof of this. The report says in column 2:

“At present they (the miners) may take, and do take, longer than eight hours to get their three tubs of coal.”

In the last paragraph of column 1 they also say:

“The miner’s wages are not fixed on a daily basis, but on a piece-work basis at so much per tub of coal, and the average outturn of a miner is three tubs of coal per working day. A skilful miner who works hard can fill four tubs in eight hours, but this rate of output is exceptional, and the majority of the miners consider the getting of three tubs to be a day’s work.”

My own experience is this, that on an average they put in not more than 8 hours’ actual work and that they do succeed in filling three tubs a day. There are no facts placed before us, and no facts were placed before the Select Committee which permitted the Select Committee make a categorical statement of this nature:

“At present they may take, and do take, longer than eight hours to get their three tubs of coal.”

Mr. B. Das (Orissa Division: Non-Muhammadian): What are your facts?

Diwan Chaman Lal: I have already said—if the Honourable Member had only been listening—that my own experience is that they do fill three tubs within the eight hours and that they are quite capable of doing so. That is, in mines which are properly worked. In Jharria, as the Honourable Member himself has seen, there are some coal mines which are worked on modern lines. There are others which are being worked without any decent modern machinery or any decent modern management. In mines which are being worked with modern machinery—German machinery for instance—the miner has every facility and he does succeed in filling his tubs. Why should the Honourable Member penalise the miner merely because the mine-owner is not prepared to bring his mine up to date and work it with up-to-date machinery? The handicap should be placed upon the mine-owner and not upon the miner. If there is going to be legislation, there should be legislation compelling the mine-owner not only to use modern methods and machinery but to provide also amenities for the workers in order to enable them to do their day’s work or earn their day’s wages in the shortest period possible.

The third reason alleged is that the miner is not a punctual person and, because he is not punctual, therefore you must make him work 12 hours in the mine in order to teach him what punctuality means. I have never

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come across a more illogical statement than a statement of this nature embodied in the Report of the Select Committee. This is what they say:

"We consider that the safest course is to advance cautiously and to consolidate the position as we go along. When the miner has acquired improved habits of punctuality and application under the twelve hours shift system and the small mine-owner has equipped his mine properly, the eight hours' shift may be introduced."

I want to know how it is possible for the Honourable Member to support a statement like that? Are you going to teach the miner methods of punctuality by imprisoning him in the mine for 12 hours? That is just the way to teach him habits of unpunctuality, because, the only result will be that the miner will work the first day for 12 hours and then absent himself for a couple of days. That has been the complaint made to my Honourable friend that the workers do not work for more than 4 days in the week. That is the complaint, as the Honourable Member is perfectly well aware, which has been raised time and again in the coal mines. I want to ask, what incentive there is, when he gets only 7 to 9 annas, for the worker to work longer than he does at the present moment? The Honourable Member has seen the hovels in which the miner lives. He has seen the condition of his children. There is nobody to look after him. He has seen that there are hardly any amenities worth speaking of whatsoever for the family of the miner. He has seen the conditions of water supply although it has been improved. There is absolutely no inducement except the fear of starvation for the miner to work longer than he does in the coal mines, and taking advantage of that position, taking advantage of the fact that it is starvation that compels the miner to go down the coal mine and earn a precarious living, a dangerous living, the Government of India, a very uncivilised Government of India, is wanting now to compel that miner to work 12 hours under the shift system. No sufficient reasons have been advanced to support the theory that the 12 hours' shift system is a good system, a better system than the 8 hours' system. In fact, the Select Committee themselves are ashamed—obviously ashamed—of having made the suggestion. They say they have got full sympathy with the system of 8 hours' shift, but yet, curiously enough, over-shadowed by the all-powerful influence of the mine-owners, over-shadowed by the influence of the vested interests, they went in for a recommendation that the shift system should be a 12 hours' shift.

Mr. B. Das: Certainly not. I was in the Select Committee and my Honourable friend is entirely wrong in saying that they were influenced by any vested interests.

Diwan Chaman Lall: My Honourable friend Mr. Das says that he was not influenced. He is always the victim of unconscious influence. (Laughter.) If he will only read the Report he will see that in almost every paragraph there is the fear expressed that the reduction of the shift to 8 hours might hurt the mine-owner, might disorganise the industry. I say that if that industry cannot thrive except on an uncivilised basis, that industry deserves to be ruined. The Honourable Member should have considered that point of view, and stood out against this system being forced upon him deliberately by the mine-owners of this country.

Now, Sir, I want to come again to the question of women in the mines. If you are going to compel men workers to work in the mines for 12 hours, it obviously follows that the women who carry the coal will also have to work for a period of 12 hours. The 12 hours' shift system does not mean in reality only 12 hours. As the Honourable Member knows, it will probably mean 14 hours

Sir Walter Willson: No.

Diwan Chaman Lall: My Honourable friend says "No." The time that the miner has got to take to go down from his little hut to the mine has got to be considered. The time that he takes to go back to his hut must be considered.

Mr. B. Das: That is allowed in the 12 hours.

Diwan Chaman Lall: My Honourable friend is utterly ignorant of the system. I am very sorry and this is clear proof of the fact that he had no business to be on the Select Committee. All that has got to be considered. What is going to happen to the women? As long ago as 1890 this matter was broached by the Government of India, and the Secretary of State for India at that time—I think it was Lord Cross—said in one of the Government publications that while the Bill provided for the safeguarding and control of female labour, it did not prohibit the employment of women altogether. He warned the Government of India that as the mining industry developed it would be increasingly difficult to prohibit the employment of women and suggested that the question of further safeguarding such employment should be carefully considered in Committee. That was the opinion of a very liberal Secretary of State. From 1890 to 1928, a period of 38 years, the Government of India have still been considering the question of prohibition of female labour in the mines, and this Bill will make the women work not for 8 hours but for 12 hours a day. If there is any greater retrograde measure than this in the labour legislation of this country, I would like to have an instance of it. No doubt my Honourable friend would say that at the present moment there is absolutely no prohibition as to the number of hours a day a miner may work. He knows from actual experience that there is a limit imposed upon the miner because of physical necessity. It is not possible for a miner to work more than a certain number of hours but here by legislation you are compelling him to work not the number of hours that he wants to work but twelve hours a day.

Sir Walter Willson: No.

Diwan Chaman Lall: The Honourable Member says, "No." Will he be good enough to read the actual clause we are discussing, and especially clause (c) of section 23 of the Indian Mines Act, 1923? Now, if a man is going to be employed in any particular mine on the shift system, he will have to work 12 hours a day. The employer has a right to demand that the shift shall be of 12 hours. Now, I can well understand there may be a very philanthropic employer like my friend, Sir Walter Willson, though I doubt it very much. Let us take an example. He may say to his workers, "Very well! We have got the law on our side. We have got the power to make you work 12 hours, but we will make you work only 8 hours a day". But suppose orders come pouring in and Sir Walter

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Willson sees ahead and sees tremendous profits coming in from the sale of coal. Will he then pocket his philanthropic instinct and still go on making the miner work only 8 hours or will he make him work 12 hours? I say this is a weapon which Government is placing in the hands of mine-owners which is going to act to the detriment of the miner in the coalfields. I submit we should not be a party to the Honourable Member passing this kind of legislation. The Honourable Member should have taken his courage in both hands and enacted a measure which would compel the mine-owner to work the miner not more than 8 hours a day as in other civilised countries.

There is one other point I wish to refer to. The Honourable Member knows perfectly well that the Secretary of State, whose name I have mentioned, referred this matter to the Government of India 38 years ago. What happened? The Government of India took no step except that in the 1921 Act and again in the 1923 Act they gave power to the Governor General in Council to prohibit any particular class of women working underground. In the original Act it was left to the Local Governments. In the 1923 Act, that is five years ago, the Government of India expressed their provincial opinions about the employment of women. The matter has since then rested where it was left, and, although power had been given to the Governor General in Council, that power was never exercised in favour of the prohibition of women workers underground. Opinions had been gathered from all sources by the Government of India, but no action has been taken to this day to prohibit the employment of women underground. Instead of doing that, the Honourable Member is now forcing the women workers to work not merely the number of hours that they want to work but 12 hours or up to the limit of 12 hours. Now, I ask, is that civilisation? Is that progress or is it not a definitely retrograde measure of which every public man should be ashamed?

Now, Sir, I have nothing more to add on this subject except to make an appeal to the Honourable Member. I know that his own instincts are very fine instincts, but unfortunately, even if you were to put the Lord Buddha or Sri Krishna or the Lord Jesus Christ into the chair of an Executive Councillor of His Excellency the Governor General he would probably not be able to do any better than the Honourable Members opposite are doing at the present moment. But there are certain things in the matter of Labour legislation in which we are a very backward country, in spite of the encomiums poured upon the Honourable Member's Department for what the International Labour Office has done and for their ratification of the recommendations of the International Labour Office. But they are minor things compared to the essential things before us. We have noticed time and again that whenever there has been any matter of urgency or importance to the workers, it has been shelved. Take the case of sickness insurance which we shall discuss presently. It has been shelved by the Government of India because it was a matter which vitally affected the health and welfare of the workers. The minor things we get; the major things are denied us; and even in this measure we are being denied a civilized standard of life for the average miner. The Honourable Member knows that between 1897 and 1920, whereas the retail price of wheat in the district of Purnea, which is a coal area, went up by 250 per cent., the miners' wages remained stationary. They were 54 of a rupee in 1897

and 59 of a rupee in 1920. The miner's condition to-day is not very much better than it was in 1920, and, although prices have gone up considerably, wages have not gone up as they should have gone up. You are taking advantage, the Honourable Member, the Government of India, the mine-owners are taking advantage, of the unorganised condition of the Indian miner in order to force a measure down his throat and down the throat of the Indian public which is, in my opinion, a measure which should never have been thought of.

The Honourable Sir Bhupendra Nath Mitra: Sir, my friend Mr. Chaman Lall has, as is customary with him on occasions like this, gone mostly off the rails. I was rather amused to find him make a somewhat similar complaint against my friend Mr. Das. My friend Mr. Joshi, I am pretty sure, knows fully well the correct position, and I should like to quote to the House a few words from a speech made by him in this House on the 30th January 1923:

"I have specially made the amendments moderate, putting the daily hours of work at such a high figure as 11, because I want to make the principle of the regulation of daily hours of work recognized. If there is any Member here who can show any other way of getting the same principle recognized, I shall be only too glad to accept his suggestion."

At another place he says:

"It is true that the miners will not like the regulation. Nobody likes any control, nobody likes any regulation when first introduced."

That, Sir, was in 1923. I fully admit that my friend Mr. Joshi's outlook has grown much wider in the last five years; but I think, as my friend Mr. Chaman Lall stated, the conditions and the habits of these unfortunate miners has not progressed, at least to that extent, during these five years. Now, Sir, this amendment of my Honourable friend was very fully discussed in the Select Committee, and the Select Committee have dealt with the matter at some length in their Report. There is no question of thrusting something down the throat of the miner. There is no question of taking any retrograde step. As matters now stand, there is no limitation, no maximum limit on the daily hours of work which a miner can put in. A miner may remain in a mine for 24 hours and if a Mines Manager is a party to that action he is not liable to be punished. The whole point of the measure before the House is, to quote again Mr. Joshi's words "to introduce some regulation in regard to the daily hours of work"; and I have not the slightest doubt that Mr. Joshi was perfectly correct when in 1923 he said that the miner would not like that regulation. In fact, in that respect, the conditions in India are different from the conditions in many other countries which my friend, Diwan Chaman Lall, had in mind. In England, the miner, if he is working underground, goes down in the cage at a stated hour. If he wants to go down after that hour is passed, he is not allowed to go down. He also comes up at a stated hour. If he is working above ground, there too his attendance is regulated by the clock. But what happens in India? The miner goes down into the mine at times which suit him, so long as he can manage to get a cage which will take him down. His habits unfortunately at the present moment are unpunctual and irregular, and we cannot by any legislation cure him of these habits. Mr. Joshi said that a miner could do his three tubs of coal in six hours, but that in order that he might work at ease and not be speeded up, he would allow him eight hours to do those three tubs. Now

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supposing we say that the maximum hours of work in a mine which does not work on the shift system are to be eight hours. Let us assume that those eight hours are to be from 8 o'clock in the morning to 4 o'clock in the afternoon. It is a fact and it is not an infrequent fact that the miner may not turn up till 10 o'clock. He then goes down, and thereafter in the time available he may not be able to do his three tubs. Who will be hit? The employer will not be hit, for he will put in more miners to provide him with his present output of coal, if it is a coal mine. It is the unfortunate miner who will be hit. He will be unable to earn the daily wages which he is now earning. Mr. Joshi has said that we are trying to put a premium on bad equipment and bad management, and by our legislation we are going to make the unfortunate miner suffer for the defects of the mine-owner and mine-manager. Now no legislation can correct the deficiency of the mine-owner or the mine-manager in this respect. As the Select Committee have brought out very fully in their Report, it may be that a miner will be able to produce his three tubs of coal in a specified time, call it six hours or seven hours or eight hours; but there must be this number of tubs available for him to fill. Now if in the case of some of these mines where the mine-owner has not got a sufficient amount of capital, the tubs are not available, who will suffer? Not the mine-owner, because he will put in a larger number of miners. The unfortunate miner, whose hours are restricted to eight and who probably works actually for only six hours or less, will find that there are not tubs enough for him to secure his usual outturn of three tubs in that period. The result will be that the mine-owner will not suffer. He will probably arrange for three shifts of eight hours each. The poor miner will probably fill up actually two tubs of coal in that period, and he will suffer, while the mine-owner will manage to get his previous output of coal and will not suffer in any way.

Diwan Chaman Lall: Then legislate for a minimum wage.

The Honourable Sir Bhupendra Nath Mitra: There is no question at present of a minimum wage. I rather prefer to confine myself to the subject before me. As we have said in this Report of the Select Committee, the miner receives payment at present at piece-work rates. It may be that when we get minimum wages and all sorts of other things, conditions may improve or may be different. But we have to look at the position with reference to the facts as they now stand and not what they may be at some future and distant date. That being so, it is absolutely in the interests of the miner, and of the miner alone, that the Select Committee came to the conclusion that we must proceed cautiously in the matter and let things adjust themselves before any further advance is attempted. As it is, in the Select Committee we paid little attention to the requirements of the mine-owner or mine manager. We were absolutely guided, everyone of us, by the effect of the legislation on the miners themselves. Mr. Chaman Lall said that the effect of this legislation will be that the miner will be compelled to work for 12 hours by Statute. As I have already said, a miner is employed at piece-work rates. If he does two tubs of coal and thereafter goes away, there is nothing to prevent his doing so. There is no question therefore of forcing him to work for 12 hours. Mr. Chaman Lall incidentally referred to the question of employment of women underground. Well, Sir, I am not in a position

to say what happened 38 years ago, because I was not then in the Government of India, but I know that ever since I took charge of my portfolio, I have been trying my best to introduce certain measures intended eventually to stop the employment of women underground. My friend Mr. Joshi and the other members of the Standing Advisory Committee are fully aware of the action which it is intended to take in that matter. It is possible that we have taken more time over this matter than I should have myself liked; but things in India as well as in other countries take time to move, and I entirely agree with what is stated in the Report of the Select Committee "that the safest course is to advance cautiously and to consolidate the position as we go along." I trust, Sir, that in view of the full explanation that I have given, the House will not accept Mr. Joshi's amendment which I cannot help opposing.

Mr. President: The question is:

"That in clause 2 (a) for the word 'twelve' the word 'eight' be substituted."

The Assembly divided:

AYES—22.

Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur
Haji.
Aney, Mr. M. S.
Chaman Lall, Diwan.
Chunder, Mr. Nirmal Chunder.
Dutta, Mr. Srish Chandra.
Gulab Singh, Sardar.
Ismail Khan, Mr.
Iswar Saran, Munshi.
Jogiah, Mr. Varahagiri Venkata.
Joshi, Mr. N. M.
Kunzru, Pandit Hirday Nath.

Lajpat Rai, Lala.
Mitra, Mr. Satyendra Chandra.
Mohammad Ismail Khan, Haji
Chaudhury.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Rao, Mr. G. Sarvotham.
Shafee, Maulvi Mohammad.
Siddiqi, Mr. Abdul Qadir.
Singh, Mr. Gaya Prasad.
Singh, Mr. Ram Narayan.
Sinha, Mr. Rajivaranjan Prasad

NOES—46.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Ahmad, Khan Bahadur Nasir-ud-din.
Allison, Mr. F. W.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmad, Khan Bahadur
Nawabzada Sayid.
Ayengar, Mr. V. K. Aravamudha
Bajpai, Mr. G. S.
Blackett, The Honourable Sir Basil.
Bray, Sir Denys.
Chatterjee, The Revd. J. C.
Chatterji, Rai Bahadur B. M.
Coatman, Mr. J.
Couper, Mr. T.
Courtenay, Mr. R. H.
Crawford, Colonel J. D.
Crerar, The Honourable Mr. J.
Dalal, Sardar Sir Bomanji.
Das, Mr. B.
Gidney, Lieut. Colonel H. A. J.
Graham, Mr. L.
Irwin, Mr. C. J.
Jowahir Singh, Sardar Bahadur
Sardar.

Kabul Singh Bahadur, Captain.
Mitchell, Mr. D. G.
Mitra, The Honourable Sir Bhupendra
Nath.
Moore, Mr. Arthur.
Mukherjee, Mr. S. C.
Neogy, Mr. K. C.
Parsons, Mr. A. A. L.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rao, Mr. V. Pandurang.
Reid, Mr. A. B.
Roy, Mr. K. C.
Roy, Mr. S. N.
Sams, Mr. H. A.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Suhrawardy, Dr. A.
Sykes, Mr. E. F.
Taylor, Mr. E. Gawan.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Zulfiqar Ali Khan, Nawab Sir.

The motion was negatived.

Mr. N. M. Joshi: Sir, I beg to move:

"That in clause 2 (a) for the word 'twelve' the word 'ten' be substituted."

I am very sorry that this Assembly, which is supposed to represent the people of this country, with the help of this Government, which is supposed to protect the interests of the masses, and which in season and out of season call themselves the trustees of the working classes and of the masses (Ironical Cheers) of this country should have defeated my last amendment. Now, Sir, it is no good worrying myself over that defeat. I am quite willing to try my luck again. (*An Honourable Member:* "Yes, better luck next time"), and suggest to the House that, although they may have once committed a wrong in voting against my amendment that the hours should be kept at 8, they will not commit that sin again. (*An Honourable Member:* "There are some old sinners here.") I hope that the old sinners may once in a while adopt a better mode of living.

My amendment now meets all the objections which the Honourable Member may bring forward. Can he really now say that more than 10 hours time is necessary for the production of three tubs, even though some mine-owners may not have a sufficient number of tubs? I stated in my first speech this morning that three tubs can be produced in 6 hours work. There are now 4 additional hours to be accounted for, 2 for the unpunctuality of the miners and 2 for want of tubs. Sir, the Honourable Member in charge of the Department of Industries quoted a speech which I had made about five years ago in this House. I am quite sure that, if the Honourable Member had quoted me very correctly, he would have told this House that in that very speech I had made it quite clear that in my opinion the hours should be 8. I am quite sure he will find that point mentioned in my speech, but I moved an amendment for keeping the hours at 11 at that time because I knew that it was not possible to get from the House of that time anything more than what I had proposed. I had proposed at that time that the hours should be 11. Even at that time I did not suggest that the hours should be what Government are proposing now. Moreover, Sir, I have unfortunately a habit of progressing, and fortunately I have not yet adopted the attitude of Government of never making progress. I feel that times have changed during the last five years. If the Government of India had also kept a progressive frame of mind, I am quite sure if at that time 11 hours were good enough they may feel that in the year 1928, 12 hours must be regarded as reactionary. Now, Sir, this proposal of ten hours has been approved of by a large number of people who, I am quite sure, the Honourable Member in charge of the Department regards as very moderate and who, in his opinion, are very reasonable also. He knows my friend Mr. Roy Chowdhury and he has quoted him in this House as an example of reasonableness and moderation. I hope, Sir, he will read his opinion. He has suggested that the hours of work should be 10. Then, Sir, there is the Marwari Chamber of Commerce in Bombay which has suggested that the hours of work should be 10, and all those who are in favour of 8 are surely in favour of 10. I am really surprised that the Government should receive the support of what are called the elected Members of this Assembly in their reactionary attitude. They are not elected by the working classes or the masses in this country. They are elected by the income-tax payers. They therefore naturally support the capitalist cause. But, Sir, I want to appeal to them and ask them whether it is not their ambition that the people should regard them as

their representatives in this House. Let them therefore not be overpowered by the feeling that their electors, the income-tax payers, may not elect them next time if they support the cause of the working classes in this country.

Mr. B. Das: You are entirely wrong there.

Mr. N. M. Joshi: How am I wrong, the Honourable Member has not stated. Now let them once in a while remember that although they may have been elected by the capitalist class they are the only people who can safeguard the interests of the working classes in this House. There is no other Legislature in this country. This is the only Legislature, and these are the only gentlemen who are expected, if they are true to their professions of caring for the interests of the people of this country, to do some justice to the working classes of this country. I hope, Sir, that whatever they may have done on the last amendment they will support this amendment and allow the hours to be kept at 10.

***Diwan Chaman Lall:** Sir, I rise only to say just a few words on this subject. I think a very reasonable appeal has been made by my Honourable friend Mr. Joshi, and the Honourable Sir Bhupendra Nath Mitra ought to accept that appeal. But I want to make it perfectly clear that we on this side of this House deprecate the system of bringing up such an important measure as this on practically the last day of the Session. I think legislation of this far-reaching nature should have been brought in at an earlier stage of the Session than this. I think I am well within my rights in criticising the action of the Honourable Member in bringing in this legislation on the last day.

As far as the appeal of my Honourable friend Mr. Joshi is concerned, I think there can be no constitutional or technical objections or difficulty in regard to the acceptance of the suggestion made by him. After all what does it mean? It means that instead of 12 hours you have a working day of 10 hours. How is it going to dislocate the industry? How is a difference of two hours going to affect the industry? Bearing in mind all the arguments and objections that have been raised by the members of the Select Committee in regard to a day of 12 hours instead of 8 hours, I submit that this proposal would be a half-way house. It is not what we want, but it is something better than the 12 hour shift, and I appeal to the Honourable Member in charge to accept the proposal.

The Honourable Sir Bhupendra Nath Mitra: Sir, this again was a point which we carefully considered in Select Committee, as will be apparent from paragraph 5 of the Committee's Report. Before, however, proceeding to deal with the amendment itself, I should like to make one observation in regard to what fell from my Honourable friend, Diwan Chaman Lall? He complained of this Bill having been brought up before the House at this late stage. Well, Sir, if the Members of the House, and of his party in particular, were anxious to take an interest in this particular legislation, I submit that it was incumbent on them to attend the meeting of the House to-day.

Now, Sir, referring to the amendment itself, the reason why the Select Committee refused to accept that amendment was again the interests of

* Speech not corrected by the Honourable Member.

Mr. N. M. Joshi: Sir, I beg to move:

"That in clause 2 (a) for the word 'twelve' the word 'ten' be substituted."

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The Honourable Sir Bhupendra Nath Mitra: Sir, this again was a point which we carefully considered in Select Committee, as will be apparent from paragraph 5 of the Committee's Report. Before, however, proceeding to deal with the amendment itself, I should like to make one observation in regard to what fell from my Honourable friend, Diwan Chaman Lal? He complained of this Bill having been brought up before the House at this late stage. Well, Sir, if the Members of the House, and of his party in particular, were anxious to take an interest in this particular legislation, I submit that it was incumbent on them to attend the meeting of the House to-day.

Now, Sir, referring to the amendment itself, the reason why the Select Committee refused to accept that amendment was again the interests of

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the miner and the interests of the miner alone. As I explained in connection with the previous amendment, this Bill, when it is placed on the Statute-book, will not compel the miner to work for 12 hours; on the other hand it will impose a penalty on the mine-manager who tries to work him for more than 12 hours. That is the precise object of this Bill. Within that maximum limit of 12 hours, if the miner can finish his three tubs in 6 or 7 or 8 hours, nothing prevents him from coming out. On the other hand, as I explained in connection with the previous amendment, if we pitch the maximum limit rather low, the effect may be that the miner may for some reason or other not succeed in filling his three tubs, and therefore in earning the wages which he is now earning. The whole point, Sir, as was stated by Mr. Joshi in 1923, is to introduce some regularity in the attendance of the miner. That being so, we in the Select Committee considered that the safest course which would be in the best interests of the miner would be to fix the maximum limit at 12 hours for the present; to allow conditions to stabilise themselves and thereafter reduce the minimum limit of 12 hours. In fact, the Select Committee definitely stated that the question of reducing the 12 hours' limit should be reconsidered in 1933, by when they hoped that the miner would have some time to adjust himself to this attempt to impose a regulation on his hours of attendance. In view of these facts, Sir, I am sorry that I am unable to accept Mr. Joshi's modified amendment and I am sure that the House will agree with me.

Mr. President: The question is:

"That in clause 2 (a), for the word 'twelve' the word 'ten' be substituted."

The motion was negatived.

Mr. N. M. Joshi: May I, Sir, point out that we asked for a division?

Mr. President: The Honourable Member is too late.

Mr. N. M. Joshi: Well, Sir

Mr. President: The Honourable Member should have raised his voice.

Mr. N. M. Joshi: Well, Sir, I did not say that the Chair did not hear: I can only say that I asked for a division.

Mr. President: The question is:

"That clause 2 do stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. President: The question is:

"That clause 3 do stand part of the Bill."

Mr. N. M. Joshi: I move, Sir:

"That in clause 3, in the proposed new section 23A, the words 'in work of the same kind' be omitted."

Sir, the new sub-section 23A runs as follows:

"23A. Work shall not be carried on in any mine for a period exceeding twelve hours in any consecutive period of twenty-four hours except by a system of shifts so arranged that not more than one shift of persons employed in work of the same kind shall be at work in the mine at the same time."

Now, the object of this section is intended to see that no mine shall be allowed to work for more than 12 hours except by a system of shifts arranged in such a manner that no person can, without fear of detection, be employed for more than 12 hours in a day. Now, if this double object is to be secured, we must see that the shift system is properly arranged. If the number of persons who are working in one shift are doing the same kind of work, then certainly there will be no difficulty; but people belonging to one shift may be doing different kinds of work. For instance, there are people who cut the coal, while there are others who carry the coal. It is quite possible, therefore, that according to the present section, one shift of persons who cut the coal may begin at a particular hour, say at 8 and a shift of persons doing another kind of work, namely, carrying coal, may begin at 10 o'clock. Now, Sir, this system will cause confusion as far as the work of the inspecting staff in the mines goes. It is not very easy for the Mining Inspector to find out which people have begun work at 8 and which people have begun at 10. It is therefore right and proper that all the workers working in a shift should begin work at a particular time and should also stop at a particular time. At least the shift in respect of the principal workers, like those who cut the coal and those who carry the coal, should not be allowed to vary nor should the periods be different. This, Sir, is the object of my amendment, and I hope the House will accept it.

The Honourable Sir Bhupendra Nath Mitra: Sir, this again is a point which we discussed very carefully in the Select Committee and we were unable to accept the proposal of my friend Mr. Joshi. The matter is dealt with in paragraph 8 of the Report of the Select Committee. Mr. Joshi seems to be particularly influenced by considerations of making easy the task of the Inspection staff employed in the mines. Now, Sir, the people whose labours he wants to simplify apparently do not see any advantage in this amendment of my friend Mr. Joshi. On the other hand, as has been brought out in paragraph 8 of the Select Committee's Report, this amendment may lead to practical difficulties, for in that clause are mentioned certain classes of employes and there are certain other and more important classes like pumpmen, engine men and onsetters, whose work may be largely affected if Mr. Joshi's amendment were accepted by the House. Mr. Joshi is apprehensive that but for that amendment a person who begins with a certain class of work in a particular shift, may be transferred later on in the day to a shift which is engaged in some other class of work, with the result that in the aggregate his total hours of daily work may exceed the statutory maximum of 12.

Well, Sir, the provisions in clause 5 of the Bill will tend to prevent abuses of that kind because the hours of work of each person will have to be specified in the register to be maintained under that clause, and from the entries in the register it will not be difficult for the Inspector of Mines, when he visits that mine, to check whether any abuses of the type apprehended by Mr. Joshi are actually taking place. If other experience has been gained of the operation of the amended Act, it is found that Mr. Joshi's apprehensions have been justified and abuses are occurring, we may

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have to devise some means of checking the abuse, but the particular amendment proposed by Mr. Joshi is, according to our information, unnecessary and will lead to practical difficulties from the point of view of working of the mines.

***Diwan Chaman Lal:** The Honourable Sir Bhupendra Nath Mitra surprises me. He says that clause 3 as drafted by his draftsman is perfect and that there is no likelihood of any evasion, and then he went on to say that if there are any, they will see to it. The question is obvious, and I am surprised that the Bill should be drafted as it is, and that this particular clause should be drafted as it is. I want to draw the Honourable Member's attention to the particular words of the clause, and I want to point out to him that it would be absolutely nullifying all that he wants to do if the clause is left as it is. Clause 3 says:

"23A. Work shall not be carried on in any mine for a period exceeding twelve hours in any consecutive period of twenty-four hours except by a system of shifts so arranged that not more than one shift of persons employed in work of the same kind shall be at work in the mine at the same time."

My Honourable friend Mr. Joshi wants to omit the words "of the same kind." It is obvious why he wants to omit them. Take the case of a digger and a carrier. They are obviously not doing work of the same kind. Take the case of a man and his wife working in the mine. She carries the coal on her head and he digs the coal. Suppose after 12 hours they change their position. They are not doing work of the same kind. These are the two most important people in the mine, the carrier and the digger, and yet, under this clause, you permit each one of these to take the place of the other. It is possible that there may be two men, one digging and one carrying, and there is nothing to prevent them changing their positions. You are not preventing that position in your Bill. You can prevent it if you accept Mr. Joshi's amendment, but without accepting it you cannot prevent such a sort of thing happening. If it is stated that the carrier's work and the digger's work amount to work of the same kind, I want any lawyer to consider this and to point out to me how it is possible for any construction to be placed upon this clause other than the construction that I am placing upon it, that there is the possibility of a reversal of the position of the carrier and the digger. If there is the possibility of that, what happens? Will there not be cases of evasion? The Select Committee themselves say:

"We consider that evasion by this means is unlikely."

They do not say that there never is likely to be any evasion. They are not so categorical as the Honourable Sir Bhupendra Nath Mitra. They say this is unlikely and if any instances should occur, they will be brought to the notice of the Government by the inspecting staff. I submit, Sir, that we are placing too much responsibility upon the inspecting staff. What should be done by law should not be left merely to the vigilance of the inspecting staff, and under the circumstances, the construction of the particular clause being what it is, I submit that the Honourable Member should accept the amendment of my friend Mr. Joshi.

* Speech not corrected by the Honourable Member.

Mr. S. Lall (Government of India: Nominated Official): Sir, I do not think that Mr. Chaman Lall is quite correct in what he said about the interchange of work between cutters and carriers employed in a mine. Section 23 of the Indian Mines Act as amended will provide that no person shall be employed in a mine for more than 12 hours in any consecutive period of 24 hours, and section 23A lays down that work shall not be carried on in a mine for a period exceeding twelve hours in any consecutive period of twenty-four hours except by a system of shifts. The Inspectors of Mines will be able to check this by means of the registers which will be required to be maintained under clause 5 of the Bill. I do not therefore think that clause 3, as it stands, will in any way enable mine-owners to employ any one for more than 12 hours. Further, as the Honourable Sir Bhupendra Nath Mitra has pointed out, the omission of the words "in work of the same kind" will seriously interfere with other classes of employees in mines, such as onsetters and pumpmen, who have to come to the mines and leave earlier than the miners. I think therefore that these words may be allowed to remain.

Mr. President: The question is:

"That in clause 3 in the proposed new section 23A the words 'in work of the same kind' be omitted."

(After cries of "Ayes" and "Noes.")

Mr. President: The Noes have it.

Mr. Chaman Lall: "Ayes" (in a low voice).

Mr. President: The Honourable Member will speak up if he wants a division.

Mr. Chaman Lall: The "Ayes" have it.

The Assembly divided:

AYES—19.

Abdul Matin Chaudhury, Maulvi.
Abdullah Haji Kasim, Khan Bahadur
Haji.

Chaman Lall, Diwan.
Chunder, Mr. Nirmal Chunder.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Gulab Singh, Sardar.
Iswar Saran, Munshi.
Jogiah, Mr. Varahagiri Venkata.

Joshi, Mr. N. M.
Kunzru, Pandit Hirday Nath.
Mitra, Mr. Satyendra Chandra.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Rao, Mr. G. Sarvotham.
Shafee, Maulvi Mohammad.
Shervani, Mr. T. A. K.
Singh, Mr. Ram Narayan.
Sinha, Mr. R. P.

NOES—40.

Abdul Aziz, Khan Bahadur Mian.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Allison, Mr. F. W.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dalal, Sardar Sir Bomanji.
 Das, Mr. B.
 Graham, Mr. L.
 Irwin, Mr. C. J.
 Jowahir Singh, Sardar Bahadur
 Sardar.
 Kabul Singh Bahadur, Captain.

Mitchell, Mr. D. G.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Neogy, Mr. K. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Reid, Mr. A. B.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Sams, Mr. H. A.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Nawab Sir.

The motion was negatived.

Colonel J. D. Crawford (Bengal: European): Sir, with your permission I should like, on behalf of my friend Sir Walter Willson to move the amendment standing in his name.

Mr. President: Such a procedure is not justified by any Standing Order or Rule.

The question is:

“That clause 3 do stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

Clauses 4, 5, 6 and 7 were added to the Bill.

Mr. President: The question is:

“That clause 1 do stand part of the Bill.”

Mr. N. M. Joshi: Sir, I move:

“That in clause 1 (2) of the Bill for the words and figures ‘7th day of April, 1930’ the words and figures ‘1st day of April, 1929’ be substituted.”

Now, Sir, I do not understand why the Government of India should propose that the operation of this Bill should begin from the 7th day of April 1930. I can understand, Sir, why they should not begin on the 1st day of April, but I cannot understand why they should be so

particular about the year 1930. If they do not want to begin the operation on the 1st of April, let them begin on the 7th of April of the year 1929. Sir, the only point mentioned by the Select Committee in their Report is that the mine-owners should have some time to adjust themselves to the change and which is simultaneous with the other change which the Government of India propose, namely, the prohibition of the employment of woman labour. Now, Sir, I would like this House not to be deceived by the fears which the Select Committee try to inculcate in their mind. Let them remember what the proposals about the prohibition of women working underground are. The Government of India propose to prohibit the employment of women underground in ten years' time. They do not propose to prohibit the employment of women at once or in two years' time, and let them consider that the total number of women working underground in India is about 30,000, and the Government of India propose that every year their number should be reduced by one-tenth. So in the year 1930, when the Bill will come into operation, the number of women to be reduced is about 3,000. These 3,000 women are distributed over a large area, and I cannot understand what readjustments are necessary in order that the labour of three thousand women all over the mines in India should be substituted by the labour of men. I do not think, Sir, that there is any adjustment necessary to be made when the proposal for the prohibition of the employment of women underground is to take effect so gradually. I therefore hope that the House will accept my amendment.

The Honourable Sir Bhupendra Nath Mitra: Sir, this, again, is a matter which we very carefully considered in Select Committee, and the views of the Select Committee are embodied in paragraph 2 of their Report. The arguments used by Mr. Joshi are precisely the same as those which he placed before the Select Committee, and he has brought forward no new argument at all. That being the position, I am unable, on behalf of the Government, to accept the amendment. I am pretty sure that the House will, in view of the very weighty considerations urged in paragraph 2 of the Select Committee's Report, negative the amendment.

Mr. President: The question is:

"That in clause 1 (2) of the Bill for the words and figures '7th day of April, 1930' the words and figures '1st day of April, 1929' be substituted."

The Assembly divided:

AYES—16.

Abdul Matin Chaudhury, Maulvi.
Chaman Lall, Diwan.
Chunder, Mr. Nirmal Chunder.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Gulab Singh, Sardar.
Joshi, Mr. N. M.
Kunzru, Pandit Hirday Nath.

Mitra, Mr. Satyendra Chandra.
Mohammad Ismail Khan, Haji
Chaudhury.
Murtuza Saheb Bahadur, Maulvi
Sayyid.
Shafee, Maulvi Mohammad.
Shervani, Mr. T. A. K.
Singh, Mr. Ram Narayan.
Sinha, Mr. R. P.

NOES—35.

Abdul Aziz, Khan Bahadur Mian.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Allison, Mr. F. W.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crerar, The Honourable Mr. J.
 Dalal, Sardar Sir Bomanji.
 Graham, Mr. L.
 Irwin, Mr. C. J.
 Kabul Singh Bahadur, Captain.
 Mitchell, Mr. D. G.

Mitra, The Honourable Sir Bhupendra
 Nath.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Reid, Mr. A. B.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Sams, Mr. H. A.
 Sarda, Rai Sahib Harbilas.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was negatived.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

The Honourable Sir Bhupendra Nath Mitra: Sir, I move that the Bill, as amended, be passed.

The motion was adopted.

The Assembly then adjourned for Lunch till Three of the Clock.

The Assembly re-assembled after Lunch at Three of the Clock, Mr. President in the Chair.

DEMANDS FOR EXCESS GRANTS FOR 1925-26.

CIVIL.

A.—Expenditure charged to Revenue.

STAFF, HOUSEHOLD AND ALLOWANCES OF THE GOVERNOR GENERAL.

The Honourable Sir Basil Blackett (Finance Member): Sir I move:

"That an Excess Grant of Rs. 2,03,033 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Staff, Household and Allowances of the Governor General'."

The causes of this excess were fully investigated by the Public Accounts Committee, as also the causes of the remaining Excess Grant. I do not know whether it is and will be the desire of the House that I should explain each. This extra expenditure, I may say quite shortly,

was due to more extensive touring, and, in particular, to expenses incurred just before the 1st April, in connection with the change in the Viceroyalty. Steps are being taken with a view to securing that even when extra expenditure is incurred, a supplementary estimate is produced in time before the end of the year to regularise such excess and thereby the irregularity of such an excess is avoided.

The motion was adopted.

EXECUTIVE COUNCIL.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 19,539 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Executive Council'."

The motion was adopted.

PAYMENTS TO PROVINCIAL GOVERNMENTS ON ACCOUNT OF ADMINISTRATION OF AGENCY SUBJECTS.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 2,359 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Payments to Provincial Governments on account of Administration of Agency subjects'."

The motion was adopted.

ADMINISTRATION OF JUSTICE.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 108 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Administration of Justice'."

The motion was adopted.

POLICE.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 4,654 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Police'."

The motion was adopted.

GEOLOGICAL SURVEY.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Re. 1 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Geological Survey'."

The motion was adopted.

OTHER SCIENTIFIC DEPARTMENTS.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 10,840 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Other Scientific Departments'."

The motion was adopted.

EDUCATION.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 13,712 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Education'."

The motion was adopted.

CIVIL VETERINARY SERVICES.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 5,598 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Civil Veterinary Services'."

The motion was adopted.

CENSUS.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 2,384 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Census'."

The motion was adopted.

EMIGRATION—EXTERNAL.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 3,680 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Emigration—External'."

The motion was adopted.

SUPERANNUATION ALLOWANCES AND PENSIONS.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 1,32,756 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Superannuation Allowances and Pensions'."

The motion was adopted.

REFUNDS.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 7,95,612 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Refunds'."

The motion was adopted.

POST AND TELEGRAPHS.

B.—Expenditure charged to Capital.

CAPITAL OUTLAY ON INDO-EUROPEAN TELEGRAPHS.

The Honourable Sir Basil Blackett: Sir, I move:

"That an Excess Grant of Rs. 1,71,428, be voted by the Assembly to regularise the expenditure chargeable to capital actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Capital Outlay on Indo-European Telegraphs'."

The motion was adopted.

RAILWAYS.

A.—Expenditure charged to Revenue.

RAILWAY BOARD.

Mr. A. A. L. Parsons (Financial Commissioner for Railways): Sir, I move:

"That an Excess Grant of Rs. 5,000 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Railway Board'."

The motion was adopted.

INSPECTION.

Mr. A. A. L. Parsons: Sir, I move:

"That an Excess Grant of Rs. 28,000 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Inspection'."

The motion was adopted.

COMPANIES' AND INDIAN STATES' SHARE OF SURPLUS PROFITS AND NET EARNINGS.

Mr. A. A. L. Parsons: Sir, I move:

"That an Excess Grant of Rs. 1,52,000 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Companies' and Indian States' share of Surplus Profits and Net Earnings'."

The motion was adopted.

APPROPRIATION TO THE RESERVE FUND.

Mr. A. A. L. Parsons: Sir, I move:

"That an Excess Grant of Rs. 50,88,000 be voted by the Assembly to regularise the expenditure chargeable to revenue actually incurred in excess of the voted Grant in the year 1925-26 in respect of 'Appropriation to the Reserve Fund'."

The motion was adopted.

DEMANDS FOR SUPPLEMENTARY GRANTS.

A.—Expenditure charged to Revenue.

CUSTOMS.

The Honourable Sir Basil Blackett (Finance Member): Sir, I move:

"That a supplementary sum not exceeding Rs. 7,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Customs'."

The motion was adopted.

FOREST.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 10,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Forest'."

The motion was adopted.

INDIAN POSTAL AND TELEGRAPH DEPARTMENT.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 20,11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of the 'Indian Postal and Telegraph Department'."

Khan Bahadur Sarfaraz Hussain Khan (Patna and Chota Nagpur cum Orissa: Muhammadan): I have a motion on this, Sir. It is:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 20,11,000 to defray the charges that will come in course of payment during the year ending the 31st day of March, 1928, in respect of the 'Indian Postal and Telegraph Department' be reduced by Re. 1."

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): On a point of order, Sir. Is the Honourable Member justified on a Supplementary Grant in raising these general questions of policy?

Mr. President: What has the Honourable Member got to say in regard to the point of order?

Khan Bahadur Sarfaraz Hussain Khan: I do not see why I am not in order.

Mr. President: Can the Honourable Member say why he is in order?

Khan Bahadur Sarfaraz Hussain Khan: I have moved the motion and the Honourable Member raises an objection. He has to prove it; the burden of proof is on him.

Mr. President: I think the Chair must undertake the responsibility. In view of a large number of cuts that have been put down on these Supplementary Grants, I have taken some trouble to examine the question, and I invite the attention of the House to a summary of the position as stated in May's "Parliamentary Practice", page 536, which I will read to the House:

"Debate on supplementary and excess grants is restricted to the particulars contained in the estimates on which those grants are sought and to the application of the items which compose those grants; and the debate cannot touch the policy or the expenditure sanctioned, on other heads, by the estimate on which the original grant was obtained, except so far as such policy or expenditure is brought before the Committee by the items contained in the supplementary or excess estimates."

This is the practice of the House of Commons, and it has been followed by my predecessors on more occasions than one. I have also followed that practice since I have been in this Chair, but on one occasion it appears, when the question was raised on the spur of the moment, I happened to say that I had some doubt as to the correctness of the procedure and perhaps Honourable Members have been encouraged by that remark of mine to put down all these motions. I now rule that no questions of policy can be raised on Supplementary Demands for Grants except to the extent indicated in the summary I have read.

Khan Bahadur Sarfaraz Hussain Khan: May I say a word or two on something other than the question of policy?

Mr. President: The Chair has given its ruling.

The question is:

"That a supplementary sum not exceeding Rs. 20,11,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of the 'Indian, Postal and Telegraph Department'."

The motion was adopted.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 38,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of the 'Indo-European Telegraph Department'."

The motion was adopted.

INTEREST ON ORDINARY DEBT AND REDUCTION OR AVOIDANCE OF DEBT.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 8,28,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Interest on Ordinary Debt and Reduction or Avoidance of Debt'."

The motion was adopted.

EXECUTIVE COUNCIL.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 23,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Executive Council'."

The motion was adopted.

LEGISLATIVE BODIES.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 38,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Legislative Bodies'."

The motion was adopted.

PUBLIC SERVICE COMMISSION.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 10,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of the 'Public Service Commission'."

Mr. N. M. Joshi (Nominated: Labour Interests): As regards the Public Service Commission, Sir, I want to ask the Government whether they propose to publish a report of the work of the Public Service Commission. This body has been appointed to do some important work, and it has been doing its work for some time now, and we are anxious to know what exactly they are doing. If we get a report from that body, we shall certainly be in a position to know something about their activities. I hope, therefore, the Government will accept my suggestion and publish an annual report of the work of the Public Service Commission.

The Honourable Sir Basil Blackett: In support of your ruling, Sir, I would ask that this question be not allowed to be asked in public at this stage. I have no doubt that the Honourable Member in charge will be prepared to tell Mr. Joshi the answer privately, but it does not fall within your ruling at this stage.....

Mr. President: The Honourable Member has already asked a question. The Honourable Member is perfectly entitled to decline to answer it.

Mr. N. M. Joshi: If there is a grant for a particular item, then certainly before I vote I am entitled to ask for some information, otherwise I am entitled to oppose it.

Mr. President: The Honourable Member is perfectly entitled to oppose it.

Mr. N. M. Joshi: I am going to oppose it.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 10,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of the 'Public Service Commission'."

The motion was adopted.

SEPARATION OF ACCOUNTS FROM AUDIT.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 25,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Separation of Accounts from Audit'."

The motion was adopted.

AUDIT.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 2,17,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Audit'."

The motion was adopted.

ADMINISTRATION OF JUSTICE.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 15,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Administration of Justice'."

The motion was adopted.

POLICE.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 4,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Police'."

The motion was adopted.

MEDICAL SERVICES.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March 1928, in respect of 'Medical Services'."

Mr. N. M. Joshi: I propose to oppose this Supplementary Grant. Before I vote for it, I want to obtain, Sir, from Government some information about the Medical Research Fund. I want to know how that Medical Research Fund is constituted; I want to know how that Medical Research Fund is controlled, and I want to know how that Medical Research Fund is utilised. As far as my information goes, Sir, the money comes out of the public treasury.....

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): On a point of order, Sir. This Medical Research Fund comes under the next Demand, not under this one. The Research Fund is under No. 56, not under No. 55.

Mr. N. M. Joshi: Then, Sir, I shall make my speech on the next motion.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Medical Services'."

The motion was adopted.

PUBLIC HEALTH.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 48,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Public Health'."

Mr. N. M. Joshi: Sir, as far as my information goes, this Medical Research Fund is built up.....

Mr. G. S. Bajpai: Again, Sir, on a point of order, with reference to the ruling which you gave just now. This particular Supplementary Demand which is being placed before the House relates to a specific and limited object, namely, the grant of a sum of Rs. 30,000 for malaria work. My Honourable friend raises the general question of the Research Fund Association and I would like a ruling as to whether the discussion is in order.

Mr. N. M. Joshi: As regards this point of order, what I want to say is, the Government of India have provided a sum of Rs. 30,000 for malaria, but it is for medical research work and I want to know what medical research work is being done, and who utilises that Fund. I am entitled to get information before I vote.

Mr. President: The Honourable Member may oppose the Grant. But he must confine himself to the merits of the particular Demand for Grant. He cannot travel outside it and raise questions of policy.

Mr. N. M. Joshi: I will not raise other questions, Sir.

Mr. President: The Honourable Member is raising them.

Mr. N. M. Joshi: I shall try my best to confine myself within the Demand.

Mr. President: If the Honourable Member raises questions which have nothing to do with the merits of the Demand he will not be allowed to do so.

Mr. N. M. Joshi: Sir, this Grant is intended for research as regards malaria, and I want to know, Sir, from Government, who is going to spend this money, whether the money is to be spent by private doctors or by I. M. S. officers. I am anxious that this Grant should be spent not by I. M. S. officers alone but should be also available for private doctors.

Mr. President: This is a question which the Honourable Member should have raised at the time of the General Budget.

Mr. N. M. Joshi: Unfortunately that question did not come up.

Mr. President: That is no fault of the Chair.

The question is:

"That a supplementary sum not exceeding Rs. 48,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Public Health'."

The motion was adopted.

AVIATION.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 6,18,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Aviation'."

The motion was adopted.

EMIGRATION—EXTERNAL.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 20,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Emigration—External'."

The motion was adopted.

JOINT STOCK COMPANIES.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 9,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Joint Stock Companies'."

The motion was adopted.

CURRENCY.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 16,84,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Currency'."

The motion was adopted.

SUPERANNUATION ALLOWANCES AND PENSIONS.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 4,53,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Superannuation Allowances and Pensions'."

The motion was adopted.

MISCELLANEOUS.

The Honourable Sir Basil Blackett: I move:

"That a supplementary sum not exceeding Rs. 7,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Miscellaneous'."

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): I crave your permission to say a few words on this Grant. This sum of Rs. 7,70,000 includes a sum of Rs. 57,000 on account of the Statutory Commission and by acceding to this Grant the money that has been spent on the Statutory Commission will also be granted. This is the last echo of the Statutory Commission.....

Mr. President: The question of policy has been already raised and decided. The Honourable Member cannot raise the question of policy again.

Pandit Motilal Nehru: I am not doing anything of the kind. I am simply making a statement to explain the position in which we find ourselves to-day, so that our action in regard to this Grant may not be misinterpreted. This Assembly has already decided the question of principle on two occasions. The first was on the 18th February, when the Resolution was adopted declaring that this House will have nothing to do with the Commission at any stage and in any form. This was followed by the rejection of the budget estimate for the expenditure of the Commission for the ensuing year and thereby the same principle was affirmed. To-day we are asked to grant this sum of Rs. 57,000 which has already been spent in the current year on the Commission. What I wish to point out is that this Demand stands upon an entirely different footing to the Demand which was made in the Budget and therefore that we are wholly unconcerned with it. I wish to make it perfectly clear that whatever the decision of this House may be as to this item the earlier decisions of the House stand good and are in no way affected. Therefore, the position of my Party is that we are not at all interested in this Grant. We are taking no part in the discussion or in the voting of this Grant and the reason why we do so is that we are entirely unaffected. You have yourself been pleased to rule that the question of principle and policy does not arise on this Grant. That is all I have to say.

Mr. M. S. Aney (Berar Representative): In addition to what has been said by the Leader of the Swaraj Party, I only wish to add one more thing—that it is rather unfair to this House that Government should have

come forward with a supplementary Demand for this purpose at such a late stage. They probably counted upon the thinness of the House in carrying these things through. They had ample time to bring up these Demands earlier in the Session. They could have brought this forward on any official day even before the budget estimates were placed before the House, but they have chosen this hour for bringing this forward. I believe the House will be justified in recording its protest against the procedure and the manner in which Government has dealt with a question of such importance as that.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I want to raise a question on the point of order upon this Demand. My submission is, Sir, that supplementary Demand means a Demand which supplements any expenditure which was sanctioned first by the House.

Mr. President: The Honourable Member is wrong in his reading of the rules. A supplementary demand may be made when the amount voted in the Budget is found to be insufficient for the purpose as also when need arises for a new service not contemplated in the Budget for the year.

Maulvi Muhammad Yakub: Very well, Sir. There is another question and it is this, that when this House has already rejected the Demand for certain expenditure, is it permissible for the Government to ask for sanction again to spend money on the same thing when once the vote of the Assembly has been taken and the Demand has been rejected?

Mr. President: The Honourable the Leader of the Opposition has already pointed out the distinction between the two grants. It is not necessary, therefore, for the Chair to say anything more. The one was a grant for expenditure to be incurred; this is a grant for expenditure which has already been incurred.

Mr. L. Graham (Secretary, Legislative Department): Sir, there is one point I should like to make clear in response to Mr. Aney, who I think suggested that we have purposely delayed bringing forward these supplementary Demands until the members of his Party had gone away. Needless to say that is not the fact, but I thought it was right to take this opportunity of explaining the position. Supplementary Demands are always kept till towards the end of the financial year for reasons which are perfectly obvious. It is not till the end of the financial year that the exact sum required as a supplementary Demand is known, even approximately.

Another point is that Members have had quite adequate notice of this. We put forward a list of business showing the business to be transacted up to the end of the Session some days ago, and these supplementary Demands were first shown on the list for Monday, the 19th, which must actually have issued to Members on the previous Friday or Saturday. Members, therefore, I submit, have had adequate notice, and if they did not choose to stay it is not our business.

Mr. President: The question is:

"That a supplementary sum not exceeding Rs. 7,70,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Miscellaneous'."

The motion was adopted.

MISCELLANEOUS ADJUSTMENTS BETWEEN CENTRAL AND PROVINCIAL GOVERNMENTS.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 3,47,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Miscellaneous Adjustments between Central and Provincial Governments'."

The motion was adopted.

REFUNDS.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 19,35,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Refunds'."

The motion was adopted.

BALUCHISTAN.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 81,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Baluchistan'."

The motion was adopted.

DELHI.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 62,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Delhi'."

The motion was adopted.

B.—Expenditure charged to Capital.

CAPITAL OUTLAY ON SECURITY PRINTING.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 18,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Capital Outlay on Security Printing'."

The motion was adopted.

IRRIGATION WORKS—NOT CHARGED TO REVENUE.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 16,77,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Irrigation Works—not charged to Revenue'."

The motion was adopted.

COMMUTED VALUE OF PENSIONS.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 6,68,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Commuted Value of Pensions'."

The motion was adopted.

C.—Disbursements of Loans and Advances.

LOANS AND ADVANCES BEARING INTEREST.

The Honourable Sir Basil Blackett: Sir, I move:

"That a supplementary sum not exceeding Rs. 4,93,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Loans and Advances bearing Interest'."

The motion was adopted.

DEMANDS FOR SUPPLEMENTARY GRANTS IN RESPECT OF
RAILWAYS.*A.—Expenditure from Revenue.*

INSPECTION.

Mr. A. A. L. Parsons (Financial Commissioner, Railways): Sir, I move:

"That a supplementary sum not exceeding Rs. 27,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Inspection'."

The motion was adopted.

WORKING EXPENSES—ADMINISTRATION.

Mr. A. A. L. Parsons: Sir, I move:

"That a supplementary sum not exceeding Rs. 19,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Working Expenses—Administration'."

The motion was adopted.

'COMPANIES' AND INDIAN STATES' SHARE OF SURPLUS PROFITS AND NET
EARNINGS.

Mr. A. A. L. Parsons: Sir, I move:

"That a supplementary sum not exceeding Rs. 16,75,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of 'Companies' and Indian States' share of surplus profits and net earnings."

The motion was adopted.

B.—Expenditure charged to Capital.

COMMERCIAL LINES—NEW CONSTRUCTION.

Mr. A. A. L. Parsons: Sir, I move:

“That a supplementary sum not exceeding Rs. 1,09,93,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of ‘New Construction (Commercial Lines)’.”

The motion was adopted.

OPEN LINE WORKS.

Mr. A. A. L. Parsons: Sir, I move:

“That a supplementary sum not exceeding Rs. 4,20,63,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of ‘Open Line Works (Commercial Lines)’.”

The motion was adopted.

A. — Expenditure from Revenue.

APPROPRIATION FROM THE DEPRECIATION FUND.

Mr. A. A. L. Parsons: Sir, I move:

“That a supplementary sum not exceeding Rs. 1,20,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of ‘Appropriation from the Depreciation Fund’.”

The motion was adopted.

APPROPRIATION TO THE RESERVE FUND.

Mr. A. A. L. Parsons: Sir, I move:

“That a supplementary sum not exceeding Rs. 3,11,68,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of ‘Appropriation to the Reserve Fund’.”

The motion was adopted.

B.—Expenditure charged to Capital.

STRATEGIC LINES.

Mr. A. A. L. Parsons: Sir, I move:

“That a supplementary sum not exceeding Rs. 20,86,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1928, in respect of ‘Strategic Lines’.”

The motion was adopted.

RESOLUTION *RE* DRAFT CONVENTIONS AND RECOMMENDATION
OF THE TENTH INTERNATIONAL LABOUR CONFERENCE
REGARDING SICKNESS INSURANCE.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I rise to move the following Resolution:

"That this Assembly, having considered the Draft Conventions and Recommendation adopted by the Tenth International Labour Conference, recommends to the Governor General in Council that he should not ratify the Draft Conventions nor accept the Recommendation."

Sir, during its tenth session held at Geneva last year, the International Labour Conference adopted two Draft Conventions and one Recommendation; the text of which will be found in the document which was circulated among Members of this House some days ago. In accordance with Article 405 of the Treaty of Versailles, to which India is an independent signatory, the Government of India have to submit these Draft Conventions normally within one year from the closing of the session, in this case the 16th June 1927, to the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action. That, Sir, is the reason for my bringing before this House the Resolution which I have just moved.

The two Draft Conventions deal with the subject of sickness insurance, one for workers in industry, commerce and domestic service, and the other for agricultural workers, and they have been drawn up in identical terms. It will be seen from Article 1 of each Draft Convention that the ratification of a Convention by any member of the International Labour Organisation implies an undertaking on its part to set up a system of compulsory sickness insurance which shall be based on provisions at least equivalent to those contained in the Convention. The provisions referred to include cash benefits for a minimum period and certain medical benefits; they stipulate that the funds required for the purpose should be obtained from compulsory contributions from the insured persons and their employers, a contribution by the State being optional; and they prescribe that sickness insurance shall be administered by self-governing institutions under the supervision of the competent public authority, though the administration may be undertaken directly by the State where certain special conditions prevail. The scheme incorporated in either Convention contemplates that it should apply to *all* workers covered by each Convention, though it is permissible to make exceptions in a limited number of cases specified in the Convention, or in districts where, by reason of the small density and wide dispersion of the population and the inadequacy of the means of communication, the organisation of sickness insurance in accordance with the Convention is impossible. The Recommendation is a corollary to the two Conventions and explains in greater detail the principles under which the schemes of compulsory sickness insurance are to be administered. There are obvious and serious difficulties in the way of introducing in India in the near future any scheme of compulsory insurance for workers in industry, commerce and domestic service and agriculture on the lines contemplated in the Draft Conventions and Recommendation. Broadly stated, these difficulties arise from the migratory character of industrial and other labour; the anxiety of the labourer to go back to his village and his relations when he falls seriously ill rather than submit himself to treatment

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on Western lines in hospitals at industrial and other centres; the want of qualified medical practitioners in sufficient numbers willing to take up the role of the country practitioner in Western countries; the existence of indigenous system of medicine; the opposition of the workers themselves to any system involving compulsory deductions from their pay; and the absence of self-governing institutions like properly organised trade unions through which the insurance could be administered, with the result that a costly machinery will have to be set up by Government for purposes of administration alone. The Government of India have no doubt that it will not be a practical proposition for some years to come to set up in India a system of sickness insurance which shall be based on provisions at least equivalent to those contained in the Draft Conventions. That being the position, Sir, the Government of India cannot ratify the Draft Conventions nor adopt the Recommendation; and I am sure this conclusion will be accepted by this House. At the same time, the Government of India are in full sympathy with the ideals which underlie these Draft Conventions and they feel that their position as a member of the International Labour organisation makes it incumbent on them to explore more fully the possibility of introducing some system of sickness insurance for a particular class of workmen or at particular centres. They propose to consult Provincial Governments who are primarily responsible for the welfare of labour in their territories as to whether it would be feasible to introduce a limited scheme of sickness insurance in this country either on the lines indicated in the Draft Conventions or on some other practical lines. On receipt of the replies from the Provincial Governments, the Government of India will discuss the matter further with the Standing Advisory Committee of the Legislature attached to the Department of Industries and Labour, and examine the question of the desirability of appointing a special committee for dealing with the subject. I should like to add that the line of action proposed has the approval of the Standing Advisory Committee of the Legislature attached to the Department of Industries and Labour with which I recently discussed the whole question.

Sir, I move

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I move that at the end of the Resolution

Mr. President: I am not sure whether the amendment is in order.

Mr. N. M. Joshi: I do not feel doubtful; but if you give your ruling against it, I do not mind.

The Honourable Sir Bhupendra Nath Mitra: Before Mr. Joshi moves his amendment, I propose to submit for your ruling a point of order. The Resolution which I have moved raises a very definite issue, namely, whether the Government of India should ratify the Draft Conventions passed in the tenth session of the International Labour Conference. It does not cover the general question of sickness insurance. Mr. Joshi wants by his amendment to tag on to it a different issue altogether, and I submit, Sir, that the Resolution with the amendment tagged on to it will contravene the provisions of the proviso in paragraph 135 of the Manual of Business and Procedure of the Legislative Assembly in which it is stipulated that a

Resolution shall be clearly and precisely expressed and shall raise substantially one definite issue. That, Sir, is my submission and I should like to have your ruling on it.

Mr. President: Before giving my ruling, I should like to know what is the Honourable Member's view as to whether Mr. Joshi's amendment is within the scope of the Resolution or not.

The Honourable Sir Bhupendra Nath Mitra: My view clearly is that it is not within the scope of the Resolution. My Resolution is very clear. It raises only one substantial issue and that is that the Government of India should not ratify the Draft Conventions adopted at the Tenth Session of the International Labour Conference. That is the only substantial issue raised by my Resolution. There is no other issue involved in it.

Mr. M. S. Aney (Berar Representative): I rise on a point of information, Sir. May I ask the Honourable Member whether the points raised in the amendment are covered by the Draft Conventions or not?

The Honourable Sir Bhupendra Nath Mitra: The point raised in the amendment is not covered by the Draft Conventions.

As I said, Article 1 of the Draft Convention clearly lays down that any member who wants to ratify the Draft Convention undertakes an obligation of introducing in its territories a sickness insurance scheme which shall be based on provisions at least equivalent to those contained in the Convention. Mr. Joshi's amendment is directed to introduce in India a limited scheme of sickness insurance; therefore it is not covered by the Draft Conventions.

***Diwan Chaman Lall** (West Punjab: Non-Muhammadan): May I point out that after all is said and done the Honourable Member has introduced a motion that this Assembly having considered the Draft Conventions and Recommendation adopted by the Tenth International Labour Conference recommends to the Governor General in Council that he should not ratify the Draft Conventions nor accept the Recommendation. All my friend, Mr. Joshi, is trying to do is to bring in an amendment to the effect that a portion of those Draft Conventions in a modified form should be given effect to. The first Draft Convention, part III, is a Draft Convention concerning sickness insurance and insurance of agricultural workers, industrial and commercial workers and domestic servants, and Article 1 which the Honourable Member read out says that a compulsory system of sickness insurance shall be based on provisions at least equivalent to those contained in the Convention. Mr. Joshi does not agree with it, the Honourable Member does not agree with it. Mr. Joshi says, "Let us have something in a modified form". I cannot see how that can be ruled out of order. There is the Draft Convention before us. The Honourable Member says that this House should not accept that Draft Convention. Mr. Joshi says, "Let us accept that in a modified form". I cannot see how Mr. Joshi can, in the circumstances, be ruled out of order.

Mr. N. M. Joshi: The ratification of the Convention requires Government to take much larger action than my amendment makes them do. My amendment, therefore, cannot be outside the scope of the Resolution.

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at all. I could certainly have moved an amendment that the Convention be ratified, which would have meant that Government should take action which is much larger than the one I ask Government to take. Therefore, Government cannot say my amendment is out of order.

Mr. President: Does the Convention deal with sickness insurance?

Mr. N. M. Joshi: Yes, insurance of agricultural, industrial, commercial and domestic workers. There is also a Recommendation which can be given effect to in a modified form, and it is open to me to suggest what action should be taken on that Recommendation. I therefore cannot see

Mr. President: I think the Honourable Member may proceed.

Mr. N. M. Joshi: Thank you, Sir. I move:

"That at the end of the Resolution the following be added:

'but that he should take immediate steps to establish in India a compulsory system of sickness insurance, the application of which may for the present be confined to workers working in factories and in mines, and on organised and large-scaled plantations'."

Sir, I am very glad that the Honourable Member has brought forward this Resolution, but I cannot congratulate him upon the form in which he has put his Resolution. I thought, Sir, he would bring forward a Resolution asking this House to ratify the Conventions, but he has not done that. At the outset let me make it quite clear that I do not think myself that it is impossible to give effect to the Conventions and to the Recommendation in the present state of India. I do not think that the heavens will fall down if we ratify this Convention and legislate accordingly. I do not think any great disaster will befall the Government of India either.

Mr. President: Will there be any disaster if you don't ratify it?

Mr. N. M. Joshi: Yes, Sir, that is what I am pointing out. There will not be any disaster or calamity upon the Government of India or upon the people of this country if this is ratified, but on the contrary there will be a calamity and a disaster upon the working classes of this country if the Conventions are not ratified and the Recommendation is not given effect to. Now, what do these Conventions ask the Government of India and the people of this country to do? They ask that a compulsory system of sickness insurance be established for the benefit of industrial, commercial and domestic workers as well as for the benefit of agricultural workers in this country. The Recommendation makes it quite clear why the system of sickness insurance should be introduced by all Governments of the world. The first reason given is this, that it is not only in the interests of the workers themselves that they should maintain good health. Certainly it is to the interests of the workers that they should maintain good health, but it is made quite clear that it is in the interests of industry itself, it is in the interests of the community as a whole, that the workers engaged in industry, commerce and domestic service and also in agriculture should maintain good health, and in order that they should be protected during the period of sickness the Conventions require the Governments of the world to establish a system of compulsory insurance.

Sir, the Honourable Member in charge of the Department pointed out certain difficulties in the way of his giving effect to these Conventions and the Recommendation. The first difficulty which he pointed out was that labour in India is migratory. I do not understand the meaning of the phrase which he has used, that labour in India is migratory. What is the meaning of it? Does he mean that the workers in one factory in Bombay do not stick to that factory but go to another factory after six months' work or two years' work or three years' work, or does he mean that the workers in Bombay go to Sholapur or Ahmedabad for work? I want to know what is the meaning of that phrase. It is quite possible he may mean that the workers who live in a particular village go to Bombay where they work for three years and as other people find it necessary to have some rest and to recoup their health they go to their villages for a month or two to recoup their health. I do not think labour in India is migratory in any other sense except this that they work in a city for two or three years or more and then when they find their health beginning to suffer they go to their villages, live there for a month or two or three months and again go back to the city. This is the only interpretation I can put on the phrase which he has used. I do not think there is any other interpretation which can be true. If he means that labour in India is migratory in the sense that people in villages go to cities where they remain for two months and again go back to their village for ten years, and again after ten years go to the city, he is not correct. Labour in India is not migratory in that sense at all. Even if labour is migratory in one sense, namely, that they go from town to town or that they go to their villages for a few months, how does it make it difficult for Government to have some system of compulsory insurance? What the compulsory insurance system requires is that the contributions should be paid. If the contributions of the compulsory insurance are paid by the employers and the Government, at least these two parties are not migratory and they can always go on paying the compulsory insurance contributions. The only migratory element is the labourer and if he wants to keep up his claim to the insurance he will go on paying his contribution to the insurance fund. I do not see that there is much difficulty due to what is called the migratory nature of labour in India, and I do not admit for a moment that labour in India is migratory in some sense which is different from the one which I have explained.

Then, Sir, the Honourable Member pointed out another difficulty, and that difficulty was that in India there are not many trade unions which will manage the sickness insurance. Sir, it is not necessary that, in order to have a compulsory system of insurance, there should be trade unions in the country. I do not think there is any connection between the existence of trade unions and the existence of compulsory insurance for sickness, because the Convention itself and this report also makes it quite clear that if there are countries where labour is not organized then the proper course for that Government is that the Government itself should manage the insurance system. That has been provided by the International Labour Conference itself. They anticipated that there may be some countries in the world where labour may not be thoroughly organized and therefore they pointed out that in such countries it was the business of the State to manage the insurance system. Of course if there are trade unions in the country, the work of distributing the benefits and the work

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of collecting contributions will be done through the trade unions; otherwise that work will have to be done by the Government agency; but it can be done. Sir, India is not the only industrial country in the world. There are other industrial countries and there are also some countries in Asia itself who have already introduced this compulsory system of sickness insurance. Take Japan for instance. There is a system of sickness insurance which is applicable to all the factory workers and some other kinds of workers also; and that system has been in existence now for some time, and if Japan, which is considered to be a country where the labour conditions are not as good as ours, and where labour legislation is not considered to be as advanced as ours, could establish a system of sickness insurance, I do not know why the Government of India cannot do it. I do not think the Government of India is going to admit that it is a government which is less progressive or more reactionary than the Japanese Government. Moreover, I do not think anybody can say that labour is better organized in Japan than in India. I am quite willing to challenge any one to prove that labour in Japan is more organised or better organized than it is in India. If Japan, without much labour organisation, can establish a sickness insurance system, I do not know why India should not do it and could not do it. Sir, I therefore think that the difficulties pointed out by the Honourable Member are not very great and they need not weigh much with the Members of this Assembly.

There is one thing which I wish to say to the Members of this House and it is this: that the Assembly is quite anxious, and very rightly too, for the development of industries in India. But let them remember this, that if industrial development is to take place in our country, it must take place on right lines, because an industry does not consist only of the money which is invested in that industry; the industry consists of the people who work in that industry. The industrialists take good care about the machinery which they use. They have a sinking fund and a depreciation fund; they also appoint men to take care of the machinery, oil it and keep it in order. Now, Sir, more than machinery, the industry requires men. Is it not necessary and is it not in the interests of the industry itself that the men who are to work in that industry should maintain good health? And if it is in the interests of the industries that the men who are working should maintain good health, is it not the duty of the industry and of the Government to take all measures in order that the men working in that industry may maintain good health?

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Who will pay for that?

Mr. N. M. Joshi: I am coming to that. Now, Sir, when a country begins to develop industries there is a change in the life of men. Before the industrial development or before men go to a city for industrial work, they live in their villages; they are in the midst of their relatives and neighbours and if a man becomes sick and if the sickness is unprovided for, his relatives and even his neighbours might take care of him. But when a man goes to an industrial city like Bombay and becomes sick, he is completely unprovided for. There is practically nothing out of which during his sickness he can get some medical help or some money for his own maintenance. Unfortunately Honourable Members who are sitting

on this side, Sir, do not realise the difficulties of people like the industrial workers in this country. When they become sick, they get no pay, whereas Government officials get sick leave on full pay for one, two or three months or even for six months, and I am told they can get leave up to 18 months.

Lieut.-Colonel H. A. J. Gidney (Nominated: Anglo-Indian): Not on full pay.

Mr. N. M. Joshi: Not on full pay, but at least on half pay. So, Sir, they do not realise the difficulties of industrial workers. The sickness of Government officers is very well provided for at the cost of these very poor men, but when it is a question of providing for poor people at whose cost these Government officers enjoy full pay, they say that there are insuperable difficulties. But were there no difficulties when the Government of India thought of framing rules for giving their servants sick leave? And if those difficulties were somehow overcome, it should not be difficult for them to overcome the difficulties that may exist in the way of establishing sickness insurance fund for the working classes. Then, Sir, when these poor people go to big cities and when they fall ill, they naturally require more money, whereas if they are sick they get nothing at all. In Bombay, for instance, when a man falls sick his pay is stopped. When he begins to work he gets his pay, but so long as he is sick and does not work he gets nothing. Now, as is well known, everybody wants a little more for his expenses during his sickness, because he wants some medicine, some milk, and the doctors nowadays advise him to take fruit instead of eating rice. Therefore, when he is asked to spend more money during his sickness, his pay is stopped. This kind of thing cannot be allowed to continue and it is not in the interests of the industry itself.

I therefore think, Sir, that this House should not accept the Resolution moved by my friend in charge of the Industries Department but should accept it along with my amendment, because then only a beginning of the sickness insurance fund will be made in India. I am not asking that all the industrial workers in the country should be brought within the scope of that insurance system all at once. I am merely asking that for the present the sickness insurance system should apply to the workers in factories who number about twenty lakhs of people out of thirty crores. Then I have also suggested that a few hundred thousand people working in Indian mines should be brought within the scope of that system. I have also suggested that the system for the present need not apply to all agricultural workers, but it is quite possible to apply it to agricultural workers on organized and large scale plantations similar to those which exist in Assam, Coorg and Madras. In my judgment, Sir, there is absolutely no difficulty to introduce this scheme, because it will be a very small scheme and will apply to about four million people in all, and a scheme like that is certainly workable and can be made to work successfully. Moreover, the scheme is not likely to cost as much as is made out. After all, if the scheme is applicable only to four million people, it will not cost a great deal, and even if it costs something, it is worth while doing it. We are all anxious to develop industries, and for that reason we must take care of the people who are to develop those industries. We cannot grudge to spend money. Moreover, Sir, I would like to ask the Government of India to introduce a system of insurance which is non-contributory, that is to say, the Government and the employers should

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bear all the costs. But, Sir, if the Government and the employers are anxious that the worker also should contribute a small portion out of his small wages I shall not be against that scheme if it becomes necessary, because I feel that the worker, by contributing a small portion required for the establishment of the sickness insurance system, will be doing some good to himself. I am therefore anxious that some system of sickness insurance should be established even though that system be a contributory system. On the whole, Sir, the establishment of the sickness insurance system will not cost very much and the cost may be divided between the Government and the employers and, if necessary, the workers also. I hope therefore that the House will consider that this question is not only in the interests of the workers themselves but, as the Convention itself has made it quite clear, it is in the interests of the whole community, it is in the interests of industry and it is in the interests of the country. I therefore hope that my amendment will be accepted by this House.

***Diwan Chaman Lall:** Sir, Mr. Joshi in a very eloquent speech has placed the cause of the workers of India before this House and I hope he has sufficiently convinced the Honourable Sir Bhupendra Nath Mitra that the hopes he has been building on of getting the unanimous support of this House are hopes that are rather too premature. The question raised by Sir Bhupendra Nath Mitra in his very brief speech is briefly this. He says it is not possible for us in this country to have a sickness insurance system for three reasons. The first reason is that Indian labour is migratory. I want to ask him if that is so and if that is a fact. You hear it said everywhere that Indian workers are prone to be migratory. If it is true, how does it, I ask, prevent the Honourable Member from bringing in any scheme for sickness insurance in this country? If a man works in Bombay to-day and has his sickness card with him, and goes off to Poona the next day, how does it prevent the Honourable Member, in the scheme that has been adumbrated, from giving him the sickness insurance that he deserves in Poona? Does the Honourable Member not know that there is a similar scheme for sickness insurance in England? Every worker there has the right of getting his card, paying his insurance money down, and then he has got the right to medical aid wherever he may be. If this happens in other countries, surely it can happen in this country. How is it, I ask again, an insuperable difficulty for the Honourable Member merely because it is said that Indian labour is migratory?

The second difficulty that the Honourable Member foresaw was this. He says there are indigenous systems of medicine and it would be difficult to bring in any sickness insurance. Am I to take it that the people of this country have with one voice declared against any system of medicine except their own indigenous system? Am I to take it that the Honourable Member is not going to give encouragement to the indigenous system of medicine for the worker if he wants to be treated by a Hakim rather than by my friend Colonel Gidney? Is the Honourable Member going to prevent him being treated in that way? It is his look out. It is for the Honourable Member to have his panel of doctors whether they be Indians working on the Indian system or Indians working on the European system, or Englishmen working on the European system. It makes no difference what system is adopted. The question is, how to give relief. How is it

* Speech not corrected by the Honourable Member.

going to prevent him from giving relief to the workers and how is it an insuperable difficulty in giving sickness insurance to the workers in this country? In this connection, before I go on, I should like to say that if the Government were to hold this view, I think the Department of which my friend Mr. Bajpai is Secretary ought to be abolished. I do not want him to look so absolutely flabbergasted at the idea.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): On the contrary, Sir, I was looking away.

Diwan Chaman Lall: If you are against the indigenous system, and if it is the indigenous system that is preventing you from giving sickness insurance to the workers, then abolish the indigenous system and let us have the European system. The other corollary is, let us have the indigenous system and abolish the other system. That is not an argument for preventing workers from getting relief whether it is on the indigenous basis or on the European basis.

The third objection was this—that it was not a practical scheme. It would not be in the fitness of things that any scheme which the popular party demands should be considered by Government to be a practical proposition. It would not be in the fitness of things that any scheme should be adopted which would make India a first rate nation instead of the tenth rate nation she is to-day. It is the deliberate object of the British Government to keep this country down, to keep it as an uncivilised country, to keep it away from all the amenities of civilisation that obtain in other countries. The simple reason is that this is a no man's land so far as they are concerned. When the members of the Civil Service went mentally sick, they demanded more pay and a crore and a half was taken out of the coffers of India and handed over to them. Here are the workers of India demanding a little more in the shape of wages and comforts and social amenities and the reply of the Honourable Member to that is that they cannot do it because it is not a practical scheme. I ask the Honourable Member, what is a practical scheme? Here is a verdict given by the International Labour Office by 97 votes to 9 and employers, employees and the Government have voted in favour of it. That is a scheme which has been carefully thought out and considered to be a practical scheme by employers, employees and the official delegates, and yet the Honourable Member there asks us to throw this Draft Convention into the waste-paper basket. He knows the feeling in this country. We know that the average life of the Indian worker is somewhere about 23½ years. That is due to the rapid development of epidemics in this country. Plague, cholera and every conceivable kind of epidemic are carrying away millions in this country. People who would be living to-day have been wiped off by these preventible diseases. It is very easy to die in this country and it is very difficult to live and yet the Honourable Member is making it difficult for people to live by not bringing in a scheme of this nature. The Honourable Member knows that if there is a country in the world which needs assistance in this matter it is India. I may in this connection inform the House that Dr. Nair in a statement before the Factory Labour Commission compared the average weight of an Indian worker with the weight of an average prisoner in His Majesty's prisons. That shows only one thing, that that worker in India whose weight is less than even that of a prisoner in His Majesty's jails is more prone and subject to all sorts of diseases, which diseases are

[Diwan Chaman Lal.]

preventible and can be avoided if the Honourable Member will only make provision to give medical relief to the worker.

Now, the Honourable Member no doubt has read this Bulletin which his Department has issued. The arguments he has placed before us are arguments which I find in this very Bulletin. The Honourable Member has one great fault; he is not original. All his arguments are to be found on page 16 of this Bulletin. The objections, as the Bulletin states, briefly are, the migratory character of industrial labour, the want of qualified medical practitioners in sufficient numbers, the existence of indigenous systems of medicine and the opposition of the workers to any system involving compulsory deductions from pay. I challenge the Honourable Member to come along with me to any duly constituted trade union and I will get him a verdict in favour of payment of sickness insurance. I do not know where he gets his facts from, whether they are manufactured in his office, in the rooms of the Secretariat or not I do not know. But I say that it is a libel upon the workers of India to say that they are not willing to pay their quota, if necessary, in order to obtain the relief which they badly need. Go outside a town like Lahore, only three miles outside—I took Dr. Rutherford out to a village only three miles out of Lahore, he mentioned it in his book, and he found there no arrangements whatsoever for any sort of medical relief for the villager. And when he asked the peasants what they did in the case of sickness they said when they were very ill they were put on a charpoy and taken to the general hospital at Lahore. That is the position of the agriculturist. What provision is the Honourable Member making for that? In all the 750,000 villages in India how many of the villages can afford to obtain medical advice and treatment for the peasants in those villages? Talk about prosperity! I think any man who talks about the prosperity and civilisation of India under your rule ought to be ashamed of himself. You know perfectly well that no arrangements whatsoever are made for the agricultural workers in the villages to give them medical relief. You talk about the experiments you have made down here in Gurgaon! Go down to those villages yourself, only 35 miles from here, and see the condition of those villages. There is nothing to be proud about after 180 years of British rule in this country. I say deliberately that this is but one step towards the civilization of these people. I care not that much for Swaraj in this country, but I do care for Swaraj for the worker—not the Swaraj for which people clamour, but the real Swaraj, which means better conditions of life and work for the workers of this country. But when we ask you to give us those conditions, what do we find? A stone wall staring us in the face, and speeches like the one which the Honourable Member made just now, speeches which make me feel that although he has a soft heart he sometimes forgets that after all he is a human being, a human being in a country of millions of human beings. He must remember that the cry of the poor in this country is the only cry worth listening to, not the cry of the witness who turns round and says, as Mr. Birla turned round and said at Geneva:

“In the general discussion which followed Mr. Birla explained the attitude of Indian employers. He said that they were not in favour of compulsory insurance, which would place too heavy a burden on Indian industries.”

I say that if Indian industries cannot bear this burden, which is very small, those industries are not worthy of your support or the support of

any decent man. What is it after all that we are demanding? A very small thing, namely, that the employer should contribute under the scheme as well as the employee, and that the Government should come in and assist them; because under the Draft Convention it is left to the choice of each Government to go in and help or not help. Now here is a country, India, which is definitely in a position or ought to be in a position to help a scheme forward of this nature: and if the Government were to help a bit and contribute, then the employees would get this scheme working straightaway. What is it that my friend, Mr. Joshi, wants after all? Whereas you have already got the Indian Factories Act on the Statute-book and you find no difficulty, no practical difficulty in working that Act and in applying that Act to the workers who are covered by the provisions in that Act, he is merely asking you to apply similar legislation to those very workers who are working here. Just as you find no difficulty in applying the provisions of your Indian Factories Act, you will find no difficulty whatsoever in applying the provisions of that Act to the workers covered by that Act, and I see no difficulty whatsoever

Mr. President: Order, order. If the Honourable Member wants to continue longer, I should like to adjourn till to-morrow.

Diwan Chaman Lall: No, Sir. I will bring my remarks to a close. I have nothing more to say on the subject except merely to remind the Honourable Member that now that he is going to refer this matter to Local Governments for their opinion, would he be good enough to get their opinions at the earliest date possible and take a step forward, a jump forward,—take his reputation in his hands, never mind if he loses his reputation, but do the great thing that he owes to the workers of India. (Applause).

The Honourable Sir Bhupendra Nath Mitra: Sir, my friend, Diwan Chaman Lall, when he was delivering his speech, was probably under the impression that he was addressing a future gathering at Geneva in the role of the employees' delegate. He delivered a very eloquent speech, but unfortunately, as usual, he was mostly irrelevant and inaccurate in various matters, if I may say so in all humility. Further, I did not gather what he was really driving at, because he ended up by saying that if I was going to refer the matter to Provincial Governments, I ought to see that we received their replies promptly and that thereafter I ought to proceed to make serious efforts to get something done. Well, that, Sir, is something different from Mr. Joshi's amendment, which wants this House to recommend to the Governor General in Council to take immediate steps to establish in India a compulsory system of sickness insurance, etc., etc. Then again in the course of his speech my friend, Diwan Chaman Lall took me to task for having stated that there were difficulties in the way of India's ratifying the Draft Conventions passed at the tenth session of the International Labour Conference because in the speech which I made earlier I was dealing only with the question of ratifying these Conventions. Apparently even my Honourable friend Mr. Joshi does not seriously urge that India is in a position to ratify those Conventions. I shall next turn to the more serious discourse of my friend Mr. Joshi. What he said was certainly not new to me nor to any Member of this House who was present at the meeting of the Standing Advisory Committee at which we discussed this matter very fully. Mr. Joshi's first question was: he did not understand what

[Sir Bhupendra Nath Mitra.]

was meant by labour in India being migratory. The matter is perfectly simple, Sir. Now let us assume that we have ratified these Draft Conventions. The compulsory scheme of insurance embodied in these Draft Conventions applies to domestic servants. I know that a certain class of servants whom I employ come from the Kangra Valley. They come and serve with me for probably two or three years and they go away to their homes and do not turn up for the next two or three years. Now, Sir, I cannot imagine how I am going to start a workable scheme of sickness insurance for men of that class. Take certain groups of industrial labourers. The labourers in the jute mills in and around Calcutta, I believe come mostly from the Oriya-speaking country or from the United Provinces. On a certain occasion I examined not in detail but broadly the conditions under which they live; and I gathered that whenever they fall seriously ill instead of agreeing to be admitted into a hospital in or about Calcutta they prefer to go back to their homes as I mentioned in my previous speech. I am pretty sure that any of my Honourable friends in this House who know the habits of these labourers and who is not an absolute idealist like my Honourable friend Mr. Joshi will bear out the correctness of my statement. Take for example the coalfields. The labourers there come largely either from the Santhal Parganas or the Chhattisgarh Division of the Central Provinces. There too the position is the same. Therefore, Sir, it is a fact that the migratory nature of industrial labour in India constitutes one drawback in the way of establishing any compulsory scheme of insurance.

Diwan Chaman Lal: Establish a scheme for 20,000 railway workers.

The Honourable Sir Bhupendra Nath Mitra: In fact the migratory nature of the labour leads to another difficulty. Now, let us confine our attention to that servant of mine who comes from the Kangra Valley. He falls ill and wants to go home. He says, "Well, I do not want to be treated here in a hospital; I prefer to go to my village". He goes to his village. Thereafter it will be practically impossible to watch when he recovers from his illness and whether on recovery he has not started earning wages, say, as an agricultural labourer.

Mr. K. Ahmed: This is not agricultural but industrial labour.

The Honourable Sir Bhupendra Nath Mitra: No. My friend has overlooked that these two Draft Conventions apply to all sorts of occupations. They apply to agriculture; they apply to industries; they apply to commerce; and they apply to domestic service. Even my friend Mr. Joshi's amendment, though it rules out domestic service and rules out agriculture in general, still applies to agricultural labourer of certain classes, and I was dilating on that illustration of the domestic servant, because the conditions in the case of certain classes of industrial workers are more or less the same. Take, for example, one of these labourers in the jute mills of Calcutta. When he falls ill, he goes back to his village, say, in Ganjam.

Mr. K. Ahmed: If he is ill, he cannot move.

The Honourable Sir Bhupendra Nath Mitra: As it is, he does move, rather than stay on in Calcutta in any of the hospitals.

Mr. K. Ahmed: Treat him as long as he is there

The Honourable Sir Bhupendra Nath Mitra: Generally speaking, he would refuse to submit himself to the medical treatment.

Mr. K. Ahmed: No. On the other hand, he receives medical treatment from the factory.

The Honourable Sir Bhupendra Nath Mitra: I know that he does get medical treatment, but for the moment we are not concerned with that question. What we are concerned with is the period of sickness and the duration of the allowance to be given during that period of sickness. In the case of those workers who go to a hospital, there is no difficulty. But whenever they are in a position to go away to their homes, and I am pretty sure that they frequently do go away to their homes so that they may be in the midst of their relations

Mr. K. Ahmed: But in the factory some of them are with their families.

The Honourable Sir Bhupendra Nath Mitra: My friend does not know the conditions. They do not come to Calcutta with their families; that is the difficulty.

Mr. K. Ahmed: Some of them are local people; they have got their huts as well.

The Honourable Sir Bhupendra Nath Mitra: They are not local people. My friend, I am afraid, has absolutely no knowledge of these jute mill labourers.

Mr. K. Ahmed: What about the tea gardens?

The Honourable Sir Bhupendra Nath Mitra: Even on the tea gardens there are no local people.

Mr. K. Ahmed: But they settle down there in the gardens.

The Honourable Sir Bhupendra Nath Mitra: Some of them do settle down, but not all. My friend's knowledge is, I am afraid, very limited.

Then, Sir, Mr. Joshi seems to think that India would place herself in a most unenviable position among the hierarchy of nations if some sort of scheme of compulsory sickness insurance were not introduced forthwith. Surely, my friend Mr. Joshi knows that even in a country like France the only scheme of sickness insurance now in force is a voluntary one and in almost all the countries of the world they began with a system of voluntary sickness insurance before the system of compulsory insurance was started. Countries like Australia and Canada have at the present days systems of voluntary sickness insurance, and that was precisely the point to which I referred when I talked about the absence in India of self-governing institutions like properly developed trade unions. My friend Diwan Chaman Lall, who, I believe, is the President of the Trade Union Congress, took some exception to that remark. I do not want to be offensive, but I shall simply refer him to the observations made by Mahatma Gandhi at the time when the Ahmedabad Textile Trade Union was asked to join the Trade Union Congress.

Diwan Chaman Lal: May I ask the Honourable Member to tell us what his observations were?

The Honourable Sir Bhupendra Nath Mitra: Then, Sir, Mr. Joshi referred to Japan. Japan undertook some legislation in the year 1922; but it took her five years to give effect to that legislation. That shows that it is impossible to take any action in a matter of this sort in a hurry. Japan is a much smaller country than India and, although it passed legislation for a limited system of sickness insurance in 1922, it took five years to give effect to that legislation. Now, Sir, I suppose my friend will admit that Italy is a progressive country and I should like to read a small extract from the reply which the Italian Government sent to the International Labour Conference at Geneva in connection with this system of compulsory sickness insurance.

"In its investigation of the question here referred to, the Italian Government has had to consider the seriousness of the burdens which might be involved in the creation of a social institution such as compulsory sickness insurance, and which appear to be anything but negligible, especially at the present moment when all the forces of the country are, and must continue to be, engaged in national and economic reconstruction."

I do not want to inflict on the House the whole of the passage, but it ends with the following words:

"This Government intends to reserve its right to choose the moment in which provision may be made for the realisation of this principle in the national territory as a whole in conformity with the economic possibilities of the country, with a view to avoiding the premature imposition on production of excessive social charges which, in injuring the interests of production, would also be prejudicial to the interests of the working classes which are indissolubly bound up with the prosperity of production."

That is

Mr. N. M. Joshi: May I ask the Honourable Member one short question?

The Honourable Sir Bhupendra Nath Mitra: I do not propose to give away.

Mr. N. M. Joshi: May I ask him.....

Mr. President: Order, order. Sir Bhupendra Nath Mitra.

The Honourable Sir Bhupendra Nath Mitra: That is the answer to Mr. Joshi's protestations that the employer in India will find it to his advantage to be a party to a system of sickness insurance, and that if he is not a willing party Government must thrust it down his throat. Of course, it might be in the interest of employers to contribute to some scheme of sickness insurance, but a system of compulsory insurance is quite a different matter. At the same time, as I have already said in my previous speech, it is the intention of the Government of India to go into this matter more fully in consultation with Provincial Governments, because if we are to assume that these schemes will have to be fostered with the help of State contributions, it will be the Provincial Governments who will have to pay the bill. Mr. Joshi seems to think that a scheme of compulsory sickness insurance which covered 5 millions of industrial workers would cost a trifle. Now assuming that 10 per cent of the 5 million are continually sick throughout the year, that means, 500,000 beneficiaries. Assuming that the sickness benefit is Rs. 10 a month, the cost will be Rs. 50 lakhs a month. Twelve times that is 6 crores! Mr. Joshi is too full of his ideals to give due attention to the practical aspects of the case.

The Government of India prefer on the other hand to deal with the matter in a more practical manner, and that is the reason why in the Advisory Committee, after hearing all that Mr. Joshi had to say, some of the other Members of this Assembly who are also members of the Advisory Committee agreed with me that the course of action to which I have already referred in my previous speech is the most practical course which the Government of India can take in the matter.

Sir, I am sorry I must oppose Mr. Joshi's amendment.

Mr. President: The question is:

"That at the end of the Resolution the following be added :

'but that he should take immediate steps to establish in India a compulsory system of sickness insurance, the application of which may for the present be confined to workers working in factories and in mines, and on organised and large-scaled plantations'."

The motion was negatived.

Mr. President: The question is:

"That the following Resolution be adopted :

'That this Assembly having considered the Draft Conventions and Recommendation adopted by the Tenth International Labour Conference, recommends to the Governor General in Council that he should not ratify the Draft Conventions nor accept the Recommendation'."

The motion was adopted.

The Assembly then adjourned *sine die*.

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